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SIXTH AND SEVENTH
ANNUAL REPORTS
OF
The Public Utilities
Commission
OF THE
STATE OF COLORADO



From December 1, 1918 to November 30, 1920
(Combined for the biennial period)

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From December 1, 1918 to November 30, 1920
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DENVER, COLORADO
EAMES BROTHERS, STATE PRINTERS
1921

COMMISSIONERS

*GRANT E. HALDERMAN, Chairman

A. P. ANDERSON

†F. P. LANNON

GEORGE A. FLANNIGAN,
Secretary.

Office of Commission,
315 CAPITOL BUILDING,
DENVER, COLORADO.

*Succeeded George T. Bradley, January 15, 1919.

†Succeeded Leroy J. Williams, resigned, February 10, 1920.



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SECTION I. GENERAL

Letter of Transmittal and Introduction

LETTER OF TRANSMITTAL

Denver, Colorado, December 1, 1920.

To His Excellency,
OLIVER H. SHOUP,
Governor of Colorado.

Dear Sir: The Public Utilities Commission of the State of Colorado has the honor to transmit to you herewith its sixth and seventh annual reports, for the fiscal years ended November 30, 1919, and November 30, 1920.

In accordance with the request made upon all departments, the Commission has made its reports for the fiscal years 1919 and 1920 as brief as possible. Much of the statistical matter contained in previous reports has been eliminated.

All formal orders and decisions are published in a series of reports entitled "Decisions of the Public Utilities Commission of the State of Colorado," now numbering five volumes. Volume V, which contains decisions issued between November 1, 1917, and January 1, 1920, was published during the biennial period just closed. It is necessary that a charge be made for these volumes and they, therefore, are not available for free distribution.

• Because a charge is made for the bound volumes in the annual reports submitted herewith the Commission has given more of the substance of each decision than has been given in the resume of formal decisions published in previous reports. This is done on the assumption that some form of report containing the essential features of all formal orders of the Commission should be available for general distribution.

Respectfully,

GRANT E. HALDERMAN,

A. P. ANDERSON,

F. P. LANNON,

Commissioners.

Attest:

GEO. A. FLANNIGAN, Secretary.

FORMAL PROCEEDINGS

One hundred and fifty-one cases were filed during the biennial period. During the same time 171 formal decisions were rendered, of which 41 were supplementary decisions. One hundred and thirty formal cases, therefore, were cleared from the docket.

Forty-five of the orders issued were upon applications for certificates of public convenience and necessity, in conformity with Section 35 of the Act. Seventeen of them involved electric utilities, 16 automobile carriers, 8 water utilities and 4 telephone utilities.

The next largest class of cases in point of number were those involving crossings in conformity with Section 39 of the Act. Sixteen of these decisions related to the establishment of public highways over railroad tracks, three to the construction of railroad tracks over highways, and one each to the blocking of highways and the relocation of highway crossings over railroad tracks.

Electric rates were next in point of number, 14 such decisions being issued.

Cases decided during the two-year period involved some of the most important since the establishment of public utility regulation in Colorado. They involved the discontinuance of operation and dismantling of the property of The Colorado Midland Railroad, representing some 337 miles of railroad track; the valuation of the property of The Denver Tramway Company, including the street railway system in Denver and interurban lines and the Denver & Intermountain Railroad; the application of the city of Lamar for a certificate of public convenience and necessity, being the first case in this state in which permission was granted for the establishment of a new public utility in a field already occupied by a utility of similar character; the establishment of a municipal electric system at Burlington and Ault, cases containing elements similar to those in the Lamar cases; freight and passenger rate cases affecting the entire state, growing out of the return of the railroads by the Federal Government to their private owners and the establishment of interstate rates by the Interstate Commerce Commission in compliance with the mandate of Congress as expressed in the Transportation Act, 1920; express rates and sleeping car fares over the entire state, also developments of the war period; an investigation by the Commission into the reasonableness of telephone rates and charges in Colorado established by the Postmaster General of the United States while the wire systems of the country were being operated by the Federal Government as a war emergency measure; the first order to be issued by the Commission establishing a rule relative to distribution during periods of car shortage; the respective rights of two municipal utilities using a joint facility; and the issuance, for the first time in this State, of certificates authorizing motor transportation lines to operate as common carriers.

Following is a classified list of formal decisions:

Abandon steam railroad	9
Abandon street railway	2
Automobile carrier—rates and service.....	1
Car distribution—freight	1
Certificates of public convenience and necessity:	
Automobile carries	16
Electric utilities	17
Telephone utilities	4
Water works	8
Condition of plant.....	1
Construction of railroad facilities	1
Crossings:	
Blocking highway	1
Highways over railroads	16
Railroads over highways	3
Relocation of highways	1
Depot facilities—passenger and freight.....	5
Discontinue express service	1
Discontinue operation railroad (temporarily).....	3
Discontinue railroad agency	6
Discontinue street railway service.....	1
Division of rates between carriers.....	2
Electric rates	14
Electric and gas rates.....	2
Establish railroad station	3
Express rates	2
Freight and passenger service.....	5
Freight rates	1
Gas rates	5
Interurban rates (electric)	2
Interurban service (electric)	1
Lease water works	1
Passenger fares	1
Passenger train service.....	4
Remove railroad track	1
Remove street railway tracks.....	1
Reparation (freight rates)	3
Sleeping car fares	1
Street railway fares	14
Telephone rates	2
Water rates	7
Total	171

Following is a classified list of formal cases filed:

Abandon part of water system.....	1
Abandon steam railroad	1
Abandon street railway	1
Automobile carriers—rates and service.....	1
Car distribution—freight	1
Certificates of public convenience and necessity.....	44
Construction railroad facility	1
Crossings—railroad and highway	31
Depot facilities—passenger and freight	5
Depot facilities—freight	1
Discontinue express service	1
Discontinue operation electric utility	1
Discontinue operation gas utility	1
Discontinue railroad agency	4
Discontinue operation railroad (temporarily).....	1
Discontinue street railway service.....	1
Electric rates	13
Establish railroad agency	1
Establish railroad station	1
Express rates	2
Extension service line (electric)	1
Fencing railroad right-of-way	1
Freight and passenger service	1
Freight rates	12
Gas rates	2
Interurban rates (electric)	2

Interurban service (electric)	1
Lease water works	1
Passenger train service	1
Remove street railway tracks	1
Sleeping car fares	1
Street railway fares	2
Telephone rates	4
Water rates	7
Total	151

INFORMAL CASES

Three hundred and forty-three informal cases were filed with the Commission from December 1, 1918, to November 30, 1920.

Informal cases are those handled by correspondence as distinguished from those made subject of formal procedure, which requires the initiating of the case in a formal manner, the holding of a public hearing and the making of a formal order. The informal procedure permits the disposition of complaints without the delay, and oftentimes eliminates considerable expense, incident to the formal handling of cases. The Commission encourages the handling of cases through informal procedure, as in this manner many more matters can be disposed of in a given period than would be possible were a larger number subjected to formal procedure. Eighty-eight of the 343 informal cases are classified under the general term of freight service. These include many different phases of railroad freight service.

The two-year period, especially that portion of it dating from the close of the war, developed a general demand for improved depot and station facilities. Forty-five informal cases involving depot facilities were filed, in addition to a number of similar cases handled as formal complaints and applications.

There were 19 cases relating to passenger train service, 19 to electric service, 18 to freight rates and 17 to electric rates. Twenty-one related to railroad crossings.

A classified list of informal cases follows:

INFORMAL CASES CLASSIFIED

Crossings (railroad):	
Blocking of	3
Elimination of	1
Opening of	4
Physical condition of	6
Protection at	7
Electric rates	17
Electric service	19
Express rates	1
Express service	17
Fencing railroad right-of-way	2
Freight rates	18
Freight service	88
Gas rates	1
Gas service	1
Interurban service	2
Overhead wire crossings:	
Wires over wires	1
Wires over railroad tracks	1
Passenger train fares	1

Passenger train service	19
Railroad station facilities	45
Railroad switching service	5
Safety of railroad employees	3
Safety of operation	4
Sleeping car service	2
Spur track construction	2
Street railway fares	1
Street railway service	3
Telegraph service	6
Telephone rates	13
Telephone service	37
Water rates	5
Water service	8
Total	<u>343</u>

SUMMARY OF CASES

The Public Utilities Commission of Colorado began operations on July 12, 1914. Total cases filed from July 12, 1914, to November 30, 1920, were:

Formal cases	377
Informal cases	<u>1,101</u>
Total cases filed to date	1,478

Cases decided from July 12, 1914, to November 30, 1920, were:

Formal cases	322
Informal cases	<u>1,089</u>
Total cases decided	1,411

The total number of formal decisions issued by the Commission from July 12, 1914, to November 30, 1920, were 393. Such decisions relate, of course, only to formal cases and have no bearing on the informal cases.

DECISIONS IN FORMAL PROCEEDINGS

Decision No. 223.

December 17, 1918.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Application filed May 3, 1918. Applicant ordered to file with the Commission an inventory and appraisal of its property used and useful in connection with operation of street and railway lines. Effective September 15, 1918, applicant was permitted to increase fares to 6 cents as an emergency measure pending final determination of the case. Hearing held October 28 to October 31, 1918, inclusive.

The Tramway Company filed two inventories, one designated as the "average" cost of reproduction new, amounting to \$26,772,888, and the other based upon the cost of reproduction new, as of January 1, 1918, amounting to \$35,959,884. The Commission found the value of the property for rate-making purposes to be \$23,674,100.

The Commission granted applicant permission to establish a 7-cent fare for adult passengers and a 3½-cent fare for children over 6 and under 12 years of age, on all of its lines both urban and interurban where a 6-cent full fare and a 3-cent half fare then prevailed and where a 5-cent fare prevailed prior to September 15, 1918, with an additional charge of 1 cent for each transfer issued.

(On January 14, 1919, the Supreme Court of Colorado in S. C. 9443, City and County of Denver v. M. S. T. & T. Co. and Public Utilities Commission, decided that home rule cities and not the State Public Utilities Commission have jurisdiction over public utilities within the corporate limits of home rule cities. This ruling was upheld upon rehearing. Under this decision Denver as a home rule city assumed regulatory authority over the operations of The Denver Tramway Co. within the city of Denver.)

Decision No. 224.

December 18, 1918.

APPLICATION NO. 20. APPLICATION OF PUEBLO GAS AND FUEL CO. FOR DETERMINATION BY THE COMMISSION OF RATES AND CHARGES FOR GAS SERVICE IN CITY OF PUEBLO.

Rates for illuminating and fuel gas were fixed at \$1.40 per thousand cu. ft. of gas consumed during the month with a discount of 5 cents per one thousand cu. ft. on bills paid within the discount period, with a minimum monthly guarantee of 50 cents; and for industrial fuel a fixed charge of \$9.00 per year per consumer plus a fixed charge of \$30.00 per year per one hundred cu. ft. maximum demand, plus 90 cents per one thousand cu. ft. for the first 50,000

cu. ft. of gas consumed during the month, and 65 cents per one thousand cu. ft. for all consumption during the month in excess of 50,000 cu. ft., with a discount of 10 per cent on bills paid within the discount period, and a minimum monthly guarantee of one-half of the foregoing yearly fixed charge.

Decision No. 225.

December 30, 1918.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Effective January 1, 1919, The Denver Tramway Company ordered to issue to each passenger paying a 7-cent fare or 1 cent for a transfer a receipt or token for 1 cent, such token or receipt to be redeemed by The Tramway Company in event the jurisdiction of the Public Utilities Commission to regulate public utilities within the City and County of Denver be denied by the Supreme Court of Colorado.

Decision No. 226.

December 31, 1918.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Petition of the City and County of Denver for rehearing denied.

Decision No. 227.

December 31, 1918.

APPLICATION NO. 20. APPLICATION OF PUEBLO GAS AND FUEL CO. FOR DETERMINATION BY THE COMMISSION OF RATES AND CHARGES FOR GAS SERVICE IN THE CITY OF PUEBLO.

Petition of the City of Pueblo for rehearing denied.

Decision No. 228.

January 6, 1919.

APPLICATION NO. 26. APPLICATION OF BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY FOR PERMISSION TO CONSTRUCT A PUBLIC HIGHWAY CROSSING AT GRADE OVER THE TRACKS OF C. B. & Q. R. R. BETWEEN R. 53 AND R. 54, T. 2 N., WASHINGTON COUNTY, COLORADO.

Application granted, the county to bear the expense of establishing crossing with the exception of the expense incident to installation of wing fences and cattle guards. Railroad ordered to install wing fences and cattle guards.

Decision No. 229.

January 9, 1919.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Order of the Commission dated December 31, 1918, denying petition of the City and County of Denver for a rehearing vacated and hearing on said petition set for Monday, January 13, 1919.

Decision No. 230.

January 15, 1919.

CASES NOS. 156 AND 161. BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY ET AL. v. COLORADO MIDLAND RAILWAY CO., A. E. CARLTON, RECEIVER, ET AL.; LESLIE E. HUBBARD, ATTORNEY GENERAL FOR THE STATE OF COLORADO, INTERVENOR. COLORADO MIDLAND SHIPPERS ASSOCIATION v. COLORADO MIDLAND RAILWAY CO., A. E. CARLTON, RECEIVER, ET AL.

On July 2, 1918, Judge Sheafor of the District Court of Colorado Springs directed the receiver of the Colorado Midland to cease operations of trains and the carrying on of the business of a common carrier on and after August 5, 1918, and, upon such terms and at such times as in the discretion of the receiver might be most fit and proper, to dismantle the property and to dispose of it at public or private sale. The court also ordered the receiver to serve notice upon the Public Utilities Commission of the proposed abandonment of the railroad. On July 3, the receiver filed a notice with the Commission of intention to discontinue service and abandon the property effective August 5, 1918. The District Court declined to entertain the petition of the Commission and the Attorney General that it modify its order and the question of jurisdiction as between the District Court and the Commission was thereupon taken to the State Supreme Court for determination. On December 7, 1918, the Supreme Court held that the Commission, and not the District Court, had jurisdiction over the abandonment of railroads within the State of Colorado.

In the meantime protests against the discontinuance of service and abandonment of the property of the Colorado Midland had been filed with the Commission by the Board of County Commissioners of Park County and others. A complaint by the Colorado Midland Shippers Association against the receiver of the Colorado Midland Railway et al., Case No. 161, was filed September 23, 1918, and consolidated with Case No. 156. A number of hearings were held, the last on December 20 and 21, 1918, following decision of the Supreme Court in the matter of jurisdiction.

In its order the Commission authorized discontinuance of train operation and dismantling of the property with the exception of that portion between Colorado Springs and Divide, operation of which had been assumed by The Midland Terminal Railway Company as a part of its line into the Cripple Creek District.

The order for the dismantling of the property was effective five days from date of the order, except as to the following portions of the road, which were prohibited from being dismantled until sixty days after the date of the order: That portion of the railroad between Norrie and connection with the Denver & Rio Grande at Wild Horse, the Leadville terminals, the Aspen terminals, Newman Tunnel branch at Aspen, the line between Glenwood Springs and Cardiff, the Cardiff branch and the line between New Castle and Vulcan.

Decision No. 231.

January 15, 1919.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

That portion of the order of the Commission in Application No. 17, issued December 17, 1918, providing for an increase in fares from 6 to 7 cents and 1 cent for each transfer, suspended until final determination by the Supreme Court of the case of City and County of Denver v. M. S. T. & T. Co. and Public Utilities Commission. Hearing on motion for rehearing by City and County of Denver continued to February 15, 1919.

Decision No. 232.

January 20, 1919.

CASES NOS. 156 AND 161. BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY ET AL. v. COLORADO MIDLAND RAILWAY CO., A. E. CARLTON, RECEIVER, ET AL.; LESLIE E. HUBBARD, ATTORNEY GENERAL FOR THE STATE OF COLORADO, INTERVENOR. COLORADO MIDLAND SHIPPERS ASSOCIATION v. COLORADO MIDLAND RAILWAY CO., A. E. CARLTON, RECEIVER, ET AL.

Order extending until February 8, 1919, the time for filing petitions for rehearing and providing that order of the Commission dated January 15, 1919, should not become effective pending filing and determination of petitions for rehearing.

Decision No. 233.

February 14, 1919.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Hearing on motion for rehearing by City and County of Denver continued until March 15, 1919.

Decision 234.

February 18, 1919.

CASES NOS. 156 AND 161. BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY ET AL. v. COLORADO MIDLAND RAILWAY CO., A. E. CARLTON, RECEIVER, ET AL.; LESLIE E. HUBBARD, ATTORNEY GENERAL FOR THE STATE OF COLORADO, INTERVENOR. COLORADO MIDLAND SHIPPERS ASSOCIATION v. COLORADO MIDLAND RAILWAY CO., A. E. CARLTON, RECEIVER, ET AL.

Order denying petitions for rehearing filed by Board of County Commissioners of Park County, Colorado Midland Shippers Association, Rocky Mountain Fuel Company and Attorney General of Colorado.

Decision No. 235.

February 19, 1919.

CASE NO. 157. GOLDEN CYCLE MINING AND REDUCTION CO. v. COLORADO SPRINGS LIGHT, HEAT AND POWER CO.

Petition for an order vacating an order of the Commission dated May 25, 1918, increasing rates for electric power sold complainant by defendant, complainant alleging rates to be discriminatory. Complaint dismissed.

Decision No. 236.

March 7, 1919.

APPLICATION NO. 35. APPLICATION OF CITY OF LAMAR FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE ESTABLISHMENT OF AN ELECTRIC LIGHT AND POWER SYSTEM BY SAID CITY.

Testimony introduced by applicant to support its claim that the Intermountain Railway, Light and Power Company had failed and was then failing to meet the requirements of the city of Lamar and its inhabitants for electric service. The Commission found that the present and future public convenience and necessity of the city of Lamar and its inhabitants required the construction and operation by the city of electric light and power works, and granted permission to the city to submit to the qualified voters the question of authorizing the City Council to build electric light and power works and to issue bond in the amount of \$45,000.00 for that purpose.

Decision No. 237.

March 13, 1919.

CASE NO. 98. BIG FIVE MINING CO. v. DENVER, BOULDER AND WESTERN RY. CO.

Cause dismissed without prejudice.

Decision No. 238.

March 14, 1919.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Hearing on motion for rehearing filed by the City and County of Denver continued until April 15, 1919.

Decision No. 239.

March 26, 1919.

INVESTIGATION AND SUSPENSION DOCKET NO. 24. IN RE ADVANCE IN ELECTRIC RATES OF GLENWOOD LIGHT AND WATER CO.

Schedule proposing new electric rates filed by the company May 10, 1918. Protests against rates filed by the city of Glenwood Springs on July 9, 1918. Order suspending effective date of schedule issued by Commission on May 28, 1918. The company contended for a rate-making value of \$142,127.21. Rate-making value fixed by the Commission as \$120,694.00. Rates prescribed by the Commission upon that basis. Contract rates granted by the company to the Hotel Colorado Company and the Denver & Rio Grande Railroad found to be discriminatory. The company ordered to cancel such rates and to serve the hotel company and the railroad company upon rates included in schedule prescribed in the order.

Decision No. 240.

March 31, 1919.

APPLICATION NO. 36. APPLICATION OF TOWN OF MEEKER FOR PERMISSION TO LEASE ITS MUNICIPAL WATER SYSTEM FOR A TERM OF YEARS.

Lease agreement entered into between the town of Meeker and R. C. Graham, a copy of which was filed with the Commission, was approved subject to the consideration that the Commission does not accept or assume any jurisdiction or duties not conferred upon it by the Public Utilities Act, Chapter 127, Session Laws 1913, and amendments thereto, and subject also to the consideration that the Commission retains jurisdiction to regulate the rates and service of said water utility as a public utility.

Decision No. 241.

April 2, 1919.

CASE NO. 158. CITY OF GRAND JUNCTION v. GRAND RIVER VALLEY RAILWAY CO.

The city alleged that the defendant "operated its said street car system so negligently and carelessly and the rails of said tracks have been bonded so poorly that electricity has escaped therefrom and has done great damage to the water pipes of said city." Complainant requested order requiring defendant to make changes

and repairs in its street car system, requiring it to replace all pipes owned by the city and damaged by electricity from the street car system, and that defendant be required to compensate city for damages suffered because of alleged negligent management of street car system. Investigation and recommendations made by the Commission's engineer. Certain changes made by street railway company, as agreed upon with city, and complaint dismissed without prejudice at request of complainant.

Decision No. 242.

April 12, 1919.

APPLICATION NO. 35. APPLICATION OF CITY OF LAMAR FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE ESTABLISHMENT OF AN ELECTRIC LIGHT AND POWER SYSTEM BY SAID CITY.

Upon a proper showing by applicant that the matter of constructing electric light and power works and the issuance of bonds therefor had been submitted to a vote of the people and acted upon affirmatively by a majority of the electors participating at such election, a certificate of public convenience and necessity was issued.

Decision No. 243.

April 14, 1919.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Hearing on motion for rehearing filed by City and County of Denver continued until June 16, 1919.

Decision No. 244.

April 15, 1919.

CASE NO. 172. CITIZENS OF BEAVER PARK v. BEAVER, PENROSE AND NORTHERN RY. CO.

February 18, 1919, The Beaver, Penrose and Northern Railway Company filed notice of intention to discontinue operation of its line of railroad and remove its tracks, effective March 21, 1919. Protest by citizens of Beaver Park filed on March 15, 1919. Hearing held April 7, 1919. Evidence showed that defendant's railway extended from the town of Beaver on the line of the Denver & Rio Grande Railroad to the town of Penrose in Fremont County, a distance of eight miles, and that during the eleven years of its operation there was a deficit from operation of \$61,087.09, each of the eleven years showing deficits ranging from \$15.66 to \$8,387.21. The deficit for the calendar year 1918 was \$6,840.87. Defendant permitted to discontinue operation as a common carrier and to dismantle its railroad line, the order becoming effective April 25, 1919.

Decision No. 245.

April 21, 1919.

INVESTIGATION AND SUSPENSION DOCKET NO. 29.
IN RE ADVANCE IN GAS RATES OF TRINIDAD ELECTRIC
TRANSMISSION RY. & GAS CO.

On August 16, 1918, the Trinidad Electric Transmission Railway & Gas Company filed a rate schedule providing for a rate of \$1.35 per 1000 cu. ft. of gas sold per month for all purposes, with a minimum charge of \$1.00 per month. The rates in effect at the time, per 1000 cu. ft. of monthly consumption, were \$1.60 for commercial lighting, \$1.00 net for fuel, \$1.25 net for combined lighting and fuel and \$1.00 net for prepay meters. At the hearing the company contended that it should be granted a rate of \$1.85 per 1000 cu. ft. with a discount of 10 cents per 1000 cu. ft. for payment within the discount period, and a minimum monthly charge of \$1.00.

The Commission's engineering and statistical departments found \$135,959.00 as a tentative valuation of the gas property of the company. The company claimed a valuation of \$166,349.00. Net earnings from operation were shown to be \$3,227.57 in 1916, \$1,977.73 in 1917 and \$483.08 in 1918. With the provision that a reasonable standard of service be furnished, the Commission permitted the company to file a schedule providing for the following rates, effective April 28, 1919: Illuminating or fuel gas, for all consumption during the month, \$1.60 per 1000 cu. ft. with a discount of 10 cents per 1000 cu. ft. on bills paid within discount period. Minimum guarantee of \$1.00 per month per consumer. Prepayment meters, \$1.60 net per 1000 cu. ft.

Decision No. 246.

April 24, 1919.

CASE NO. 154. CITY OF GOLDEN AND BOARD OF
COUNTY COMMISSIONERS OF JEFFERSON COUNTY v.
DENVER TRAMWAY CO. AND DENVER & INTERMOUNTAIN RY. CO.

Complaint alleging discrimination in commutation fares upon lines of the Denver Tramway Company between Berkeley and stations from Arvada to Leyden and between Arvada and stations from Oberon to Leyden, and upon the line of the Denver & Intermountain between County Line and stations between Lakewood and Golden. The Commission found no undue, unreasonable, unjust or unlawful discrimination to exist, and since the issues involved only the charge of discrimination, no finding was made as to the reasonableness of fares. Complaint dismissed.

Decision No. 247.

April 25, 1919.

INVESTIGATION AND SUSPENSION DOCKET NO. 35.
IN RE ADVANCE IN ELECTRIC RATES OF ROARING
FORK ELECTRIC LIGHT AND POWER CO. AT ASPEN.

On January 16, 1919, the Roaring Fork Electric Light and Power Company filed a schedule providing for increase in rates for electric service at Aspen, including an advance in the minimum monthly charge, effective February 17, 1919. Protest was filed by Charles Wagner, Mayor of Aspen, and the effective date of the schedule was suspended by the Commission. Hearing was held at Aspen March 28, 1919. On April 23, 1919, before an order was issued, a stipulation was filed by the City of Aspen and the power company wherein it was agreed that the minimum monthly charge for commercial lighting should be \$1.50 except when the company's income from power rentals should exceed the sum of \$3,000 per month for three consecutive months, in which case the charges for commercial lighting should be reduced to conform with rates in effect prior to January 17, 1919. An order was entered in conformity with the stipulation.

Decision No. 248.

May 3, 1919.

CASE NO. 157. GOLDEN CYCLE MINING AND REDUC-
TION CO. v. COLORADO SPRINGS LIGHT, HEAT AND
POWER CO.

Petition for rehearing denied.

Decision No. 249.

May 6, 1919.

CASE NO. 167. FARMERS ELECTRIC AND POWER CO.
v. TOWN OF AULT.

Complaint filed on January 22, 1919, alleging that complainant was operating an electric light and power system in the town of Ault, but that the defendant town for several weeks past had been engaged in constructing an electric light plant and system without first having obtained from the Commission a certificate of public convenience and necessity as required by Section 35 of the Public Utilities Act. On February 1, 1919, the defendant filed its demurrer to the complaint alleging that the Commission was without authority to enforce an order against the defendant in that such action would contravene the provisions of Sections 35 of Article V and Section 25 of Article II of the constitution of the State of Colorado, and the provisions of Section 1 of Article XIV of the constitution of the United States. The Commission held that it had no authority to pass upon the constitutionality of any part of the Public Utilities Act. Demurrer overruled and defendant given 15 days to file its answer to the complaint.

Decision No. 250.

May 14, 1919.

CASE NO. 165. BURLINGTON GAS AND ELECTRIC CO. v. TOWN OF BURLINGTON; THOMAS S. HAYDEN REALTY CO., INTERVENOR.

On December 24, 1918, the Burlington Gas and Electric Company filed complaint alleging that the defendant town had constructed and was then operating an electric light and power system in the town of Burlington, without having obtained from the Commission a certificate of public convenience and necessity as required by Section 35 of the Public Utilities Act; also that the defendant had obtained, through the sale of water bonds, funds with which its electric light plant was constructed. Complainant, the owner and operator of an acetylene gas system at Burlington, prayed for an order restraining the town from operating its electric light and power system. The Commission found that the town had begun construction of its electric system prior to July 16, 1917, the date Section 35 of the Act became effective, and therefore was not required to obtain a certificate of public convenience and necessity; that it was a question for the courts, not for the Commission, to decide whether the town had the right to use in the construction of an electric plant funds derived from the sale of water bonds. Complaint dismissed.

Decision No. 251.

May 27, 1919.

APPLICATION NO. 12. IN RE DISCONTINUANCE OF SERVICE BY DENVER, BOULDER & WESTERN R. R. CO., REMOVAL OF ITS TRACKS AND WITHDRAWAL OF ITS PROPERTY FROM THE PUBLIC SERVICE.

On March 28, 1919, the Denver, Boulder & Western Railroad Company, in conformity with General Order No. 7 of the Public Utilities Commission, filed notice that on May 1, 1919, it would permanently discontinue service, surrender its charter, dismantle its property and dispose of the same. A protest was filed by patrons of the road asserting that the applicant should not be permitted to discontinue service upon notice filed in conformity with General Order No. 7, but that, if it sought to discontinue service it could do so only through a rehearing in Application No. 12. In Application No. 12, Decision No. 149, dated December 26, 1917, the Commission denied the application of the railroad to discontinue service and directed it to give a fair trial to increased rates. Contention of protestants was sustained. The railroad was given 5 days to file petition for rehearing in Application No. 12 and date of hearing thereon set for June 16, 1919, at Denver.

Decision No. 252.

May 27, 1919.

CASE NO. 37. BRECKENRIDGE CHAMBER OF COMMERCE v. COLORADO & SOUTHERN RY. CO.

October 20, 1915, the Commission entered an order requiring defendant to maintain and operate a through passenger train

service daily, except Sunday, and through freight service at least three days a week in each direction, between Denver and Leadville, via Como and Breckenridge. May 22, 1919, a stipulation was entered into by complainant and defendant requesting the Commission to modify the order of October 20, 1915, so as to permit a reduction in freight train service to two trains each way each week, with the provision that upon demand by the complainant the defendant should immediately restore the service provided prior to the stipulation. Order entered in conformity with the stipulation.

Decision No. 253.

May 28, 1919.

CASE NO. 157. GOLDEN CYCLE MINING AND REDUCTION CO. v. COLORADO SPRINGS LIGHT, HEAT AND POWER CO.

Upon stipulation entered into by complainant and defendant order was entered providing that the order of the Commission issued on May 3, 1919, be withdrawn and for all purposes treated as though never issued.

Decision No. 254.

May 28, 1919.

CASE NO. 157. GOLDEN CYCLE MINING AND REDUCTION CO. v. COLORADO SPRINGS LIGHT, HEAT AND POWER CO.

Petition for rehearing filed by complainant on March 14, 1919, denied.

Decision No. 255.

June 13, 1919.

APPLICATION NO. 38. APPLICATION OF D. C. CONVERSE FOR OPENING OF PUBLIC HIGHWAY CROSSING OVER TRACKS OF C. B. & Q. R. R. ON SECTION LINE BETWEEN SECTIONS 20 AND 29, TOWNSHIP 1 N., RANGE 65 W., WELD COUNTY.

Application granted with the provision that county of Weld perform the work of grading, and that the private crossing between Sections 20 and 29 be permanently closed.

Decision No. 256.

June 13, 1919.

APPLICATION NO. 39. APPLICATION OF BOARD OF COUNTY COMMISSIONERS OF YUMA COUNTY FOR OPENING OF PUBLIC HIGHWAY OVER TRACKS OF C. B. & Q. R. R. AT A POINT TWO MILES EAST OF WRAY.

Proposed crossing located on section line in northeast quarter of Section 4, Township 1, Range 43 West, at mile post 378.54. Application granted.

Decision No. 257.

June 13, 1919.

APPLICATION NO. 41. APPLICATION OF MIDLAND TERMINAL RAILWAY CO. FOR PERMISSION TO DISCONTINUE STATION AT ELKTON.

Petition of protest filed by residents of Elkton. Application denied, with leave to the company to file application for reopening and reconsideration of the cause whenever conditions so changed with reference to business at Elkton Station that, in its judgment, the matter might again properly be brought to the attention of the Commission.

Decision No. 258.

June 14, 1919.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Hearing on motion for rehearing filed by the City and County of Denver, which had been set for June 16, 1919, further continued to August 15, 1919.

Decision No. 259.

June 18, 1919.

APPLICATION NO. 31. APPLICATION OF FRANK TITTER FOR CERTIFICATE TO OPERATE AUTOMOBILE STAGE LINE BETWEEN GREELEY, EATON AND AULT.

Application, made in conformity of Section 35 of the Public Utilities Act, for a certificate of public convenience and necessity for the operation of an automobile line as a common carrier of passengers between Greeley, Eaton and Ault. Certificate issued.

Decision No. 260.

June 23, 1919.

APPLICATION NO. 45. APPLICATION OF CHICAGO, BURLINGTON & QUINCY R. R. CO. AND BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY FOR OPENING OF PUBLIC HIGHWAY CROSSING OVER TRACKS OF THE RAILROAD AT A POINT 3.37 MILES WEST OF WILLARD.

Application granted with provision that railroad bear all expense necessary to establishment of crossing except that the County of Logan bear the expense of grading, including the necessary drainage and establishment of proper approaches to the crossing.

Decision No. 261.

June 23, 1919.

APPLICATION NO. 46. APPLICATION OF CHICAGO, BURLINGTON & QUINCY R. R. CO. AND BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY FOR OPENING OF PUBLIC HIGHWAY CROSSING OVER C., B. & Q. R. R. ONE-HALF MILE EAST OF BROWARD.

Application granted with provision that railroad bear the expense of establishing crossing, except that the county of Logan bear expense of grading including the necessary drainage and the establishment of proper approaches to the crossing.

Decision No. 262.

June 26, 1919.

CASE NO. 153. TOWN OF ORDWAY v. MISSOURI PACIFIC R. R. CO.

Complaint as to depot facilities and petition for an order requiring construction of a new depot building at Ordway.

The defendant having satisfied the complaint by erecting a new depot building, an order was issued dismissing complaint.

Decision No. 263.

June 26, 1919.

INVESTIGATION AND SUSPENSION DOCKET NO. 33. IN RE ADVANCE IN GAS RATES OF OTERO GAS CO.

A rate schedule providing for an advance in rates for gas at La Junta, Swink and Rocky Ford, effective December 20, 1918, was filed by The Otero Gas Company on November 20, 1918. Protests were filed by the cities of La Junta and Rocky Ford, and the effective date of the schedule was suspended pending investigation and hearing.

The rates at the time the new schedule was filed were \$1.60 per 1000 cu. ft. for all monthly consumption up to 10,000 cu. ft., \$1.25 per 1000 cu. ft. for consumption from 10,000 to 15,000 cu. ft., \$1.00 per 1000 for consumption of 15,000 cu. ft. and over; prompt payment discount of 20 cents per 1000 cu. ft. on first 10,000 cu. ft.; minimum monthly guarantee of 75 cents gross or 70 cents net. The rates proposed were \$1.70 per 1000 cu. ft. gross for the first 5000 cu. ft., \$1.40 per 1000 cu. ft. for the next 10,000 cu. ft., \$1.25 for the next 15,000 cu. ft. and \$1.00 per 1000 for all consumption in excess of 30,000, with a prompt payment discount of 10 cents per 1000 cu. ft. on the first 5000 cu. ft.; a minimum monthly guarantee of 75 cents per consumer or per meter.

At the hearing the company contended that it was entitled to rates even higher than those set out in its schedule, asking for rates of \$1.80, \$1.60 and \$1.40 per 1000 cu. ft. for the first 5000 cu. ft., the next 10,000 cu. ft. and all over 15,000 cu. ft., respectively, with a penalty of 10 cents per 1000 cu. ft. to be added if bills were not paid within 10 days.

The tentative valuation of the company's plant as submitted by the Commission's engineer amounted to \$116,094.00. Net operating revenue was found to be \$1,503.55 for 1916, \$2,979.71 for 1917 and \$1,262.55 for 1918. The company was permitted to establish the following rates for all purposes: \$1.60 net or \$1.70 gross per 1000 cu. ft. for the first 5000 cu. ft. of monthly consumption; \$1.40 net per 1000 cu. ft. for the next 10,000 cu. ft., \$1.25 net per 1000 cu. ft. for the next 15,000 cu. ft., and \$1.00 net per 1000 cu. ft. for all consumption during the month in excess of 30,000 cu. ft.; bills to be rendered at the gross rate and discounted to the net rate if paid within the discount period. A minimum monthly guarantee of \$1.00 net per consumer or per meter was established.

Decision No. 264.

July 23, 1919.

APPLICATION NO. 12. IN RE DISCONTINUANCE OF SERVICE BY DENVER, BOULDER & WESTERN R. R. CO., REMOVAL OF ITS TRACKS AND WITHDRAWAL OF ITS PROPERTY FROM THE PUBLIC SERVICE.

In the original proceeding in this cause the Commission on December 26, 1917, denied the application of the railroad for permission to discontinue service and ordered it to give a fair trial to increased rates. This is a supplementary proceeding, for permission to discontinue service and dispose of the railroad property, filed May 27, 1919. Hearing was held June 16, 1919. The Commission found that the Denver, Boulder & Western Railroad, as a whole, was not earning sufficient revenue to meet its operating expenses and taxes; that it would be impracticable further to increase rates; that, therefore, there was not sufficient public demand to warrant continued operation of the railroad, and that the railroad should be permitted to discontinue operations, withdraw its property from the public service and dismantle the same. Order issued granting application, effective September 15, 1919.

Decision No. 265.

July 30, 1919.

APPLICATION NO. 44. APPLICATION OF THE LINCOLN LIGHT AND POWER CO. FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for a certificate for the establishment of electric light and power system in the town of Hugo, Lincoln County, to cost from \$25,000 to \$35,000. Certificate issued.

Decision No. 266.

July 31, 1919.

INVESTIGATION AND SUSPENSION DOCKET NO. 34.
IN RE ADVANCE IN ELECTRIC AND POWER RATES OF
TRINIDAD E. T. RY. & G. CO.

On December 21, 1918, schedule was filed by the Trinidad Electric Transmission Railway & Gas Company providing for certain increases in electric power rates, effective June 21, 1919. Orders suspending the effective date of schedules pending investigation and hearing were issued by Commission on January 17, 1919, and May 12, 1919. On July 30, 1919, the company requested permission to file new schedules, while at the same time a statement was filed by a committee representing protestants to the effect that no objection would be entered to the rates contained in the proposed new schedules. Order issued vacating date of hearing and permitting company to file rates as agreed upon with protestants.

Decision No. 267.

August 5, 1919.

CASE NO. 163. GREAT WESTERN ALFALFA MILLING
CO. ET AL. v. WESTERN LIGHT AND POWER CO.

Complaint by alfalfa milling companies in northern Colorado that charges for electric power service made by defendant were unreasonable and higher than charges for similar service made by public utilities in other parts of the state. Hearing held April 9 and 10, 1919. The Commission found rates and charges of defendant to be reasonable, except for a provision for a penalty of one-half cent per K.W.H. added to the monthly bill if bill not paid within ten days. It was held that the penalty in no case should exceed \$5.00 on any month's bill. Order issued dismissing complaint with the exception that defendant be required to amend schedule so as to limit penalty as described.

Decision No. 268.

August 13, 1919.

INVESTIGATION AND SUSPENSION DOCKET NO. 36.
IN RE ADVANCE IN RATES OF CASPER SCHUMM ELECTRIC
LIGHT AND POWER CO.

Schedule proposing increases in electric rates at Eagle and Gypsum was filed February 1, 1919, by the Casper Schumm Electric Light and Power Company. Protest filed by consumers at Eagle and order entered suspending effective date of a schedule pending investigation and hearing.

Testimony showed an investment of \$31,207.00 with a net income of \$387.51, or a return of approximately 1.2 per cent. It was found that business of the company would not warrant rates sufficiently higher to produce a net return of 6 per cent or even 5 per cent upon the investment plus depreciation and taxes.

The rates prescribed were estimated to yield an approximate return of 2.94 per cent upon a capital investment of \$31,207.00. The company was required to file a schedule, effective September 1, 1919, providing for the following rates: Commercial lighting, for the first 15 K.W.H. per month, 16 cents per K.W.H.; for all over 15 K.W.H., 13 cents per K.W.H.; minimum monthly charge, \$1.50; moving picture theaters, \$1.00 per night; meter deposit upon installation of meter, \$5.00, refundable; street lighting, Eagle, 8 cents per K.W.H., Gypsum, 8 cents per K.W.H.

Decision No. 269.

August 14, 1919.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Hearing on motion for rehearing filed by the City and County of Denver further continued until October 15, 1919.

Decision No. 269A.

October 14, 1919.

CASE NO. 179. CITIZENS OF FOSSTON v. UNION PACIFIC R. R. CO.

This complaint was made against the proposal of the Union Pacific Railroad to close Fosston station as a reporting station and to open Cornish as a reporting station, both stations being located in Weld County on the Briggsdale Branch of the Union Pacific.

Hearing held at Fosston July 29, 1919. Order issued permitting railroad to close Fosston station and to open Cornish as an agency station with a provision requiring the railroad to safeguard and protect all perishable freight and other commodities received by it at Fosston station.

Decision No. 270.

August 14, 1919.

CASE NO. 165. BURLINGTON GAS AND ELECTRIC CO. v. TOWN OF BURLINGTON; THOMAS S. HAYDEN REALTY CO., INTERVENOR.

Order denying petition for rehearing filed by the complainant.

Decision No. 271.

August 19, 1919.

APPLICATION NO. 12. IN RE DISCONTINUANCE OF SERVICE BY DENVER, BOULDER & WESTERN R. R. CO., REMOVAL OF ITS TRACKS AND WITHDRAWAL OF ITS PROPERTY FROM THE PUBLIC SERVICE.

On August 6, 1919, the railroad company filed its application for an order modifying the Commission's order of July 23, 1919, to the extent that applicant be permitted to cancel its tariffs and discontinue service as of August 6, 1919, instead of September 15, 1919, as permitted by the order of July 23. In support of its application the company stated that a cloudburst on the night of July 31, 1919, washed out a considerable portion of its tracks in the mountains above the city of Boulder and that it had no funds with which to replace and repair tracks to permit operation until September 15. Hearing held August 15, 1919. Order issued permitting cancellation of tariffs and discontinuance of service as of August 6, 1919.

Decision No. 272.

August 20, 1919.

APPLICATION NO. 34. APPLICATION OF C. E. KNUTSON ET AL FOR OPENING OF PUBLIC HIGHWAY CROSSING OVER TRACKS OF C. B. & Q R. R. BETWEEN SECTIONS 24 AND 19 ON THE LINE BETWEEN YUMA AND WASHINGTON COUNTIES.

Application granted, with provision that railroad open and establish crossing and bear expense incident thereto, except that Washington and Yuma counties should perform or bear the expense of performing the work of grading, including necessary drainage and establishment of proper approaches to the crossing.

Decision No. 273.

August 20, 1919.

APPLICATION NO. 37. APPLICATION OF J. A. BROOKS FOR PERMISSION TO EXTEND LINES OF HAXTUN TELEPHONE CO. (NOT INCORPORATED) EASTWARD TO HOLYOKE AND WESTWARD TO FLEMING, COLORADO.

Hearing held at Haxtun June 20, 1919. On August 8, 1919, before an order was issued, a stipulation was entered into by the applicant and The Mountain States Telephone and Telegraph Company, wherein it was stated that applicant had purchased from the Mountain States Company that part of the Sterling-Holyoke toll line between Haxtun Junction and Holyoke, and that applicant proposed to construct a line between Haxtun and Haxtun Junction to connect with the toll line so purchased, so that communication might be had between Haxtun and Holyoke entirely over the lines

of the applicant; that in view of the improvements which would result applicant requested that application be dismissed. Order entered in accordance with the stipulation.

Decision No. 274.

August 20, 1919.

APPLICATION NO. 49. APPLICATION OF TOWN OF KEOTA FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for certificate for establishment of a water works system following affirmative vote upon the subject at an election held in the town of Keota on May 26, 1919. Certificate issued.

Decision No. 275.

August 20, 1919.

APPLICATION NO. 50. APPLICATION OF TOWN OF GROVER FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for certificate for establishment of a water works system following affirmative vote upon the subject at an election held in the town of Grover on April 1, 1919. Certificate issued.

Decision No. 276.

August 25, 1919.

APPLICATION NO. 5. APPLICATION OF CRYSTAL RIVER & SAN JUAN R. R. CO. FOR PERMISSION TO DISCONTINUE OPERATIONS TEMPORARILY.

Cessation of operations by the railroad company was permitted for a stated period by order issued October 27, 1917, and by subsequent orders extending such permission. Order issued further extending permission to December 31, 1919, with the provision that the railroad company should not remove its line of railroad or any part thereof.

Decision No. 277.

August 28, 1919.

APPLICATION NO. 51. APPLICATION OF GREEN TRANSFER CO. FOR CERTIFICATE TO OPERATE AUTOMOBILE LINE AS A COMMON CARRIER OF FREIGHT BETWEEN DENVER, BROOMFIELD, LAFAYETTE, LOUISVILLE, BOULDER, NEDERLAND, LAKEWOOD AND EL DORA.

Certificate issued for operation of automobile line as a common carrier between Denver, Broomfield, Lafayette, Louisville and Boul-

der. Commission held that certificate was not required for operations between Boulder and Nederland, Lakewood and Eldora, for the reason that the Denver, Boulder & Western Railroad no longer operated in that territory and that such motor truck line, therefore, would not be in competition with railroad, as contemplated in Section 2 (e) of the Public Utilities Act.

Decision No. 278.

September 5, 1919.

APPLICATION NO. 43. APPLICATION OF PAOLI TELEPHONE CO. FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR ESTABLISHMENT OF A TELEPHONE SYSTEM TO SERVE THE TOWN OF PAOLI AND CONTIGUOUS TERRITORY.

Applicant capitalized for \$10,000.00 to build a telephone system at Paoli, Phillips County, Colorado, and to extend lines north, east, south and west of the town. Certificate issued.

Decision No. 279.

September 9, 1919.

APPLICATION NO. 12. IN RE DISCONTINUANCE OF SERVICE BY DENVER, BOULDER & WESTERN R. R. CO., REMOVAL OF ITS TRACKS AND WITHDRAWAL OF ITS PROPERTY FROM THE PUBLIC SERVICE.

Petition for rehearing filed by protestants on August 28, 1919.
Petition denied.

Decision No. 280.

September 18, 1919.

APPLICATION NO. 12. IN RE DISCONTINUANCE OF SERVICE BY DENVER, BOULDER & WESTERN R. R. CO., REMOVAL OF ITS TRACKS AND WITHDRAWAL OF ITS PROPERTY FROM THE PUBLIC SERVICE.

This case involved a motion filed by protestants for a modification of Commission's orders of July 23, 1919, and August 19, 1919. Protestants alleged bad faith on the part of the railroad company, asserting that immediately after the entry of the Commission's order of August 19, permitting abandonment of road as of August 6, the railroad began work of repairing its roadbed notwithstanding its previous claim that it had no funds for this purpose. Protestants asked that the railroad be required to continue operation for a period of forty-five days longer. Motion of protestants was not verified and none of the allegations in the motion were supported by affidavit of any person or persons. Commission held that it was necessary for the road to make some repairs to enable it to assemble and remove its property. Motion of protestants overruled.

Decision No. 281.

September 24, 1919.

CASE NO. 170. J. P. ADAMS ET AL. v. CHICAGO, BURLINGTON & QUINCY R. R. CO.

Complaint by J. P. Adams and thirty-one other residents of Weld County relative to inadequate station and shipping facilities offered by the Chicago, Burlington & Quincy Railroad. Complainants petitioned for the location of a railroad station to be known as Omar, at or near the intersection of the railroad line with the section line between Sections 35 and 36, Township 2 North, Range 61 West, in Weld County, about fifty-seven miles east of Denver. Testimony introduced at hearing to show that on account of the sandy, hilly ground intervening it was difficult to reach the station of Crest, four miles west of the proposed new station; that same condition prevented ready access to Bronco, a station two miles east of the proposed station, and that it was necessary, therefore, to haul to Roggen, eleven miles to the west, or to Wiggins, five miles to the east. It was also shown that all land necessary for right of way and sidetracks for the new station would be donated. The railroad contended that the station was not necessary and furthermore that the railroad was without authority to locate or open new stations on account of its property then being operated by the United States Railroad Administration. The Commission ordered the defendant within ninety days from the date of the order to erect a new station building at Omar, to maintain it as an agency station and to provide an industrial track not less than 1,000 feet long and stockyard facilities usual at such stations; conditioned upon the complainants securing the donation to defendant of certain additional right of way, and upon complainants having opened a public road and doing the necessary grading for the passing track. Commission announced it would consider the closing of the station of Crest permanently by making it a non-agency station upon application by defendant.

Decision No. 282.

September 25, 1919.

CASE NO. 167. FARMERS' ELECTRIC AND POWER CO. v. TOWN OF AULT.

January 22, 1919, complainant petitioned an order prohibiting the town of Ault from constructing and continuing to construct and operate an electric system in the town of Ault, and on July 6, 1919, complainant filed a motion for an order restraining the town from further continuing to operate its plant. In its answer the town denied the jurisdiction of the Commission and took the position that it was not required to obtain a certificate of public convenience and necessity. Its motion to dismiss being overruled, the town on September 25, 1919, filed an amended answer and cross-complaint praying for the issuance to it of a certificate of public

convenience and necessity for the operation of its electric light plant. Order issued directing the town of Ault to refrain from in any manner furnishing light and power to any person or corporation other than those then served by the municipal system, and prohibiting the town from further extending its electric system, pending the final determination of this cause.

Decision No. 283.

September 25, 1919.

APPLICATION NO. 53. APPLICATION OF WESTERN COLORADO POWER CO. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IN CITY OF OURAY.

Application of the Western Colorado Power Company for a certificate of public convenience and necessity to exercise the rights and privileges granted to it by the city of Ouray under an ordinance passed and adopted July 7, 1919. Certificate issued.

Decision No. 284.

September 25, 1919.

APPLICATION NO. 54. APPLICATION OF JOHN CUTLER AND OTHERS FOR OPENING OF A PUBLIC HIGHWAY CROSSING AT GRADE OVER TRACKS OF UNION PACIFIC RAILROAD AT MARION AVENUE, PLATTEVILLE, COLORADO.

At the hearing at Platteville September 17, 1919, it was shown that a crossing had been maintained at Marion Avenue until March 6, 1917, when at the request of the Board of Trustees of Platteville the Marion Avenue crossing was closed and a new crossing opened on Grant Avenue, two blocks north of Marion Avenue. It developed that of the nine names signed to the petition Cutler alone resided in Platteville, the other eight signers residing in the country distant from two to five miles from Platteville; also that citizens of Platteville opposed the opening of the crossing and furthermore that a crossing, when maintained at Marion Avenue, was considered dangerous on account of the proximity of the depot, water tank and other obstructions. Application denied.

Decision No. 285.

September 26, 1919.

CASE NO. 175. L. K. PARR, C. M. HARRIS AND H. H. WHITE v. CHICAGO, BURLINGTON & QUINCY R. R. CO.

Complaint against existing depot facilities at Padroni, Logan County, Colorado, and petition for construction of adequate station building. Defendant denied that station at Padroni was inadequate and alleged that it was without authority to construct a new depot building by reason of its property then being operated by the

United States Railroad Administration. Hearing held at Sterling August 25, 1919. Railroad ordered to construct a new depot building of uniform, standard type, the structure to be erected within ninety days of date of issuance of order.

Decision No. 286.

October 1, 1919.

APPLICATION NO. 52. APPLICATION OF CITIZENS OF PEETZ FOR OPENING OF PUBLIC HIGHWAY CROSSING AT GRADE OVER TRACKS OF CHICAGO, BURLINGTON & QUINCY R. R.

Application by citizens of the town of Peetz, Logan County, for the opening of a public highway crossing upon what would be an extension of Main Street to connect the western or older established part of town with a new but growing section of town east of the railroad tracks. Objection to opening of crossing made by the railroad on the ground that a crossing at this point would be dangerous; that it would cause delay in the loading and unloading of freight and that it would entail an expense incident to the removal of the depot platform which extends across Main Street. The Commission found that a crossing at this point was warranted and ordered the railroad to remove its station platform and to install a safe and adequate crossing within 90 days from service of a copy of the order.

Decision No. 287.

October 3, 1919.

CASE NO. 177. CITIZENS OF PAOLI v. CHICAGO, BURLINGTON & QUINCY R. R.

Complaint of citizens of Paoli, Phillips County, relative to depot facilities, and petition for an order directing the construction of a new station building at Paoli. Hearing held at Sterling, August 21, 1919. Railroad ordered to construct a new depot of uniform standard size, the building to be erected within 90 days of service of the order.

Decision No. 288.

October 9, 1919.

CASE NO. 167. FARMERS' ELECTRIC AND POWER CO. v. TOWN OF AULT.

Oral argument on defendant's amended answer and cross complaint and complainant's motion to strike. Order issued sustaining motion to strike in certain particulars and denying in others.

Decision No. 289.

October 11, 1919.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Hearing on motion for rehearing filed by the City and County of Denver further continued to January 15, 1920.

Decision No. 290.

October 11, 1919.

APPLICATION NO. 42. APPLICATION OF FRANK TITTER FOR CERTIFICATE TO OPERATE AN AUTOMOBILE LINE AS A COMMON CARRIER OF FREIGHT AND EXPRESS BETWEEN DENVER, GREELEY AND NUNN.

At the hearing on September 26, 1919, applicant testified that he is engaged in the operation of an automobile line for the transportation of passengers, but was not then ready to go into the business of the transportation of freight, and that he had no equipment for such purpose. Application denied.

Decision No. 291.

October 11, 1919.

APPLICATION NO. 47. APPLICATION OF J. H. FRANKLIN AND M. C. COFFEY FOR A CERTIFICATE TO OPERATE AN AUTOMOBILE LINE AS A COMMON CARRIER BETWEEN DENVER, FREDERICK, FIRESTONE AND FORT LUPTON.

Hearing held August 14, 1919. Testimony introduced to show that no automobile line was then operating as a common carrier in the territory described in application. Certificate issued.

Decision No. 292.

October 11, 1919.

APPLICATION NO. 48. APPLICATION OF DENVER & NORTHERN TRANSPORTATION CO. FOR A CERTIFICATE TO OPERATE AN AUTOMOBILE LINE AS A COMMON CARRIER OF FREIGHT AND EXPRESS BETWEEN DENVER, GREELEY AND EATON.

Hearings held August 14, 1919, and September 26, 1919. Certificate issued.

Decision No. 293.

October 11, 1919.

APPLICATION NO. 55. APPLICATION OF CHAS. E. BARKLEY AND HARRY E. F. HOFFMAN FOR A CERTIFICATE TO OPERATE AN AUTOMOBILE LINE AS A COMMON CARRIER BETWEEN DENVER AND GREELEY.

Hearing held September 26, 1919. Certificate issued to the applicants, operating as the Denver-Greeley Motor Express.

Decision No. 294.

October 11, 1919.

APPLICATION NO. 58. APPLICATION OF LIBERTY TRANSPORTATION & EXPRESS CO. FOR A CERTIFICATE TO OPERATE AN AUTOMOBILE LINE AS A COMMON CARRIER OF FREIGHT AND EXPRESS BETWEEN DENVER AND GREELEY.

Hearing held September 26, 1919. Certificate issued.

Decision No. 295.

October 14, 1919.

APPLICATION NO. 56. APPLICATION OF DAVID W. PAINE FOR A CERTIFICATE TO OPERATE AN AUTOMOBILE LINE AS A COMMON CARRIER OF FREIGHT AND EXPRESS BETWEEN DENVER AND ELIZABETH.

Hearing held September 26, 1919. Certificate issued.

Decision No. 296.

October 18, 1919.

APPLICATION NO. 60. APPLICATION OF UNION PACIFIC RAILROAD FOR PERMISSION TO ESTABLISH PUBLIC HIGHWAY CROSSING AT GRADE OVER TRACKS OF UNION PACIFIC RAILROAD AT INTERSECTION OF LINE OF UNION PACIFIC RAILROAD WITH LINE BETWEEN SECTIONS 2 AND 3, T 11 N, R 45 W, SEDGWICK COUNTY.

Application of railroad supported by request of Board of County Commissioners of Sedgwick County. Application granted with the provision that the expense of opening and establishing the crossing be apportioned as might be agreed upon by the railroad and the Board of County Commissioners, providing that in event an agreement could not be reached the railroad and county board should apply to the Commission for a further order apportioning such expense.

Decision No. 297.

October 25, 1919.

APPLICATION NO. 27. APPLICATION OF DENVER & RIO GRANDE RAILROAD FOR PERMISSION TO CONSTRUCT A SPUR TRACK AT GRADE ACROSS PUBLIC HIGHWAY BETWEEN DENVER AND LITTLETON.

Application made by railroad to construct spur track to serve an industrial plant near Littleton. Subsequently railroad advised that the industry was not prepared to go ahead with the matter and that, if it later decided to have trackage built, the railroad renew its application. Application dismissed.

Decision No. 298.

October 28, 1919.

APPLICATION NO. 61. APPLICATION OF UNION PACIFIC RAILROAD AND BOARD OF COUNTY COMMISSIONERS OF WELD COUNTY FOR RELOCATION OF PUBLIC HIGHWAY CROSSING AT GRADE OVER TRACKS OF UNION PACIFIC RAILROAD ON LINE BETWEEN SECTION 3, T 6 N, R. 63 W, AND SECTION 34, T 7 N, R 63 W, WELD COUNTY.

Crossing located at a point west of Cornish, Weld County. When public highway crossing was first established it was believed to have been located on the township line. Later surveys developed that the township line crosses the railroad at a point approximately 75 feet east of the point where the highway crossing originally was established. Order issued permitting relocation of crossing with provision that the railroad and Board of County Commissioners agree upon the apportionment of the expense or come before the Commission for a further order apportioning such expense.

Decision No. 299.

November 10, 1919.

APPLICATION NO. 25. APPLICATION OF CRIPPLE CREEK WATER CO. FOR INCLUSION OF ITS 9-INCH SUPPLY PIPE LINE IN THE VALUATION OF ITS PLANT, TO READJUST VALUE OF ITS WATER RIGHTS AND TO HAVE WATER RATES ADJUSTED IN ACCORDANCE THEREWITH.

In Case No. 31, Public Utilities Commission v. Cripple Creek Water Company, March 25, 1916, the Commission by order fixed the rates of the Cripple Creek Water Company and established the value of the property for rate-making purposes. A 9-inch supply pipe line was excluded from the valuation, the Commission holding that such improvement had not been wisely and prudently made. The value of the water rights was fixed at \$28,000.00. In the present case the Commission placed a value

of \$31,248.00 on the 9-inch pipe line and upon finding it to be in use permitted it to be added to the valuation of the company's plant. It denied the claim of the company that its water rights be valued at \$72,200.00, but allowed \$3,011.77, which had been paid by the company for an adjudication of its water rights, to be added to the valuation of its system. The Commission found that the water company had been disobeying its order in Case No. 31 wherein the company was ordered to set aside annually \$2,500.00 as a depreciation requirement. The company set aside \$6,827.83 in 1916 and \$6,925.78 in 1917, thereby showing a much lower per cent of return than it really earned. The company was ordered to set aside only the amount of depreciation permitted. A new schedule of water rates was prescribed making a few changes from the rates then in effect, the Commission holding, however, that it would be impossible to make any material increase in rates for the reason that the value of the service would not permit it, that if rates were materially increased, the result would probably be a reduction rather than a gain in the revenue of the company.

Decision No. 300.

November 12, 1919.

APPLICATION NO. 5. APPLICATION OF CRYSTAL RIVER & SAN JUAN R. R. FOR PERMISSION TO DISCONTINUE OPERATIONS TEMPORARILY.

Upon order previously made applicant was permitted to cease operations, such permission extending until December 31, 1919. November 3, 1919, request for further extension was made on the ground that the Colorado Yule Marble Company, upon which applicant depends for most of its freight, would not be able to resume operation of its quarries for some months at least. Order issued permitting discontinuance of operations until June 1, 1920.

Decision No. 301.

November 24, 1919.

APPLICATION NO. 33. APPLICATION OF CRYSTAL RIVER R. R. CO. FOR PERMISSION TO DISCONTINUE OPERATIONS TEMPORARILY.

This line of railroad extends from Carbondale on the Aspen branch of the Denver & Rio Grande to Placita, a distance of 20.6 miles, connecting at Placita with the line of the Crystal River & San Juan Railroad, which extends a distance of 8 miles to Marble (see Application No. 5). Testimony showed that the Crystal River Railroad had depended upon coal and coke produced in the territory adjacent to its line and upon marble shipped from Marble over line of the Crystal River & San Juan; that cessa-

tion of operations of marble quarries at Marble and the closing of coal mines at Placita and coke ovens at Redstone and Cardiff reduced the business of the Crystal River Railroad to potato shipments from Carbondale and shipments of cattle and sheep in the fall and spring. The year 1918 showed a deficit of \$8,138.55 and the eight months of 1919, ending August 31, 1919, a deficit of \$8,534.71. Order issued permitting discontinuance of operations until June 1, 1920, with the provision that the applicant make repairs to its track and roadbed so as to be able to render service upon the re-opening of the marble quarries at Marble.

Decision No. 302.

November 29, 1919.

CASE NO. 180. INVESTIGATION BY PUBLIC UTILITIES COMMISSION, ON ITS OWN MOTION, INTO THE REASONABLENESS OF THE RATES, RULES AND REGULATIONS OF MOUNTAIN STATES TELEPHONE AND TELEGRAPH CO. IN COLORADO AS ESTABLISHED BY THE POSTMASTER GENERAL.

During the period of federal control of the telephone utilities, incident to the war, the Postmaster General of the United States, in charge of the wire systems of the country, made certain advances in rates and changes in rules and regulations governing telephone service. In accordance with the act of Congress providing for the return of the wire systems to their owners, the rates as fixed by the Postmaster General were effective until December 1, 1919, unless, in the meantime changed by state, municipal or other proper authority. In Colorado they remained effective until December 1, 1919.

As a basis upon which to judge the reasonableness of the changes made by the Postmaster General the Commission made a check of the books of the company to ascertain the additions to and deductions from the physical property of the company by exchange areas, and the classification of parts of plant, from the date of the last examination by the Commission on August 31, 1915, (Case 22), up to and including July 31, 1919.

This examination showed that since the valuation of \$14,698,414.00 was fixed by the Commission as of August 31, 1915, the additions to physical property and working capital amounted to \$1,872,136.17, making the total valuation of the telephone company's property in Colorado \$16,570,550.17 as of July 31, 1919.

It was found that operating expenses, together with the depreciation requirement and fair return upon the investment, exceeded the revenues of the company by \$573,464.43 in 1916, \$734,677.99 in 1917, \$723,581.41 in 1918, and \$408,304.61 for 1919. Figures for the twelve months of 1919 were based upon the average of the first seven months' operations. The evidence showed that while earnings steadily increased, expenses likewise increased: that the average increase in operators' wages from 1915

to July 31, 1919, had been 74.70 per cent; that during the same period linemen's wages increased 61 per cent, and that increases in 169 items of materials ranged from 3.79 to 416.37 per cent.

The Commission found that the Denver, Pueblo, Colorado Springs, Loveland and Sterling exchanges were earning in excess of operating expenses, depreciation and a fair return, while other exchanges, such as Grand Junction, Fort Collins, Montrose, Longmont, Greeley and Trinidad, were not earning the full amount of operating expenses, depreciation requirement and a fair return. It was held, however, that it is not the duty of the Commission in every case to provide rates in each exchange that will fully earn operating expenses, depreciation requirement and a fair return if such rates exceed the value of the service rendered.

It was ordered that exchange rates in Denver, Pueblo, and Colorado Springs be reduced to the basis fixed by the Commission in its order in Case No. 22, issued June 14, 1918, except that in the Pueblo exchange the two-party business rate was fixed at \$60.00 per annum. Business rates at Loveland and Sterling were ordered reduced to \$48.00 per annum for one-party and \$42.00 per annum for two-party service, and at Boulder to \$60.00 per annum for one-party and \$48.00 per annum for two-party business service. The general tariff of toll rates for Colorado, made effective by the Postmaster General on January 21, 1919, and the tariff of exchange rates made effective by the Postmaster General on May 1, 1919, were approved except in the instances noted. The order was made effective as of December 1, 1919.

Decision No. 303.

December 3, 1919.

CASE NO. 170. J. P. ADAMS ET AL. v. CHICAGO, BURLINGTON & QUINCY R. R.

Railroad granted an extension of 90 days in which to comply with the Commission's order of September 24, 1919, directing railroad to establish a station and erect a depot building at Omar.

Decision No. 304.

December 3, 1919.

APPLICATION NO. 52. APPLICATION OF CITIZENS OF PEETZ FOR OPENING OF PUBLIC HIGHWAY CROSSING AT GRADE OVER TRACKS OF CHICAGO, BURLINGTON & QUINCY R. R. AT PEETZ.

Railroad granted an extension of 90 days in which to comply with the Commission's order of October 1, 1919, directing the railroad to remove its depot platform from Main Street and establish a public highway crossing.

Decision No. 305.

December 6, 1919.

APPLICATION NO. 59. APPLICATION OF DURANGO RAILWAY AND REALTY CO. FOR PERMISSION TO DISCONTINUE SERVICE.

Line operated by applicant from Denver & Rio Grande depot in the city of Durango, along the main business thoroughfare of Durango to Animas City, a distance of about two and one-half miles. The Company claimed it was unable to earn sufficient revenue to pay operating expenses, including increased wages and material costs, to meet depreciation requirements. In protesting against granting the application, the city of Durango among other things pointed out that the Commission had granted the street railway company permission to increase its fares from 5 cents to 6 cents, but that the company never had made such increase effective. The company introduced evidence to support its claim that operations showed a net deficit of \$3,581.08 up to and including September 30, 1919. The Commission ruled that an item of \$8,362.34 for interest was not properly chargeable to operating expenses, with the result that instead of there being a deficit of \$3,581.08 there was a net income of \$4,781.86, without making an allowance for depreciation. The Commission denied the application to abandon service, with the provision that the company could renew its application after a period of nine months. As a possible means of increasing its revenues the company thereupon increased its fares to 7 cents for single rides or 10 tickets for 65 cents.

Decision No. 306.

December 8, 1919.

CASE NO. 37. BRECKENRIDGE CHAMBER OF COMMERCE v. COLORADO & SOUTHERN RY.

Train service over the Denver-Leadville line of the defendant was fixed by order of the Commission of October 20, 1915, and modified by order of May 27, 1919. On December 5, 1919, the defendant asked permission to change passenger service from daily, except Sunday, to tri-weekly service, to enable it to meet an emergency which then existed in the transportation of coal, as a result of a general strike of coal miners which began November 1, 1919. Order issued granting request of defendant with the provision that the defendant should restore its daily passenger train service between Denver and Leadville immediately upon declaration by the Commission that the emergency which occasioned this order had ceased.

Decision No. 307.

December 8, 1919.

CASE NO. 129. INVESTIGATION BY THE COMMISSION ON ITS OWN MOTION INTO THE ADVISABILITY OF THE PROPOSED DISCONTINUANCE BY COLORADO & SOUTHERN RY. OF PASSENGER TRAINS NOS. 39 AND 40, BETWEEN DENVER AND EASTONVILLE.

On December 5, 1919, the Colorado & Southern Railway, by its counsel, requested that it be permitted to discontinue, during the emergency resulting from the general coal strike of November 1, 1919, the operations of trains Nos. 39 and 40, schedule of which had been fixed by the Commission in an order entered June 18, 1919. Request granted with the provision that passenger trains Nos. 39 and 40 be restored upon declaration by the Commission that the emergency which occasioned this order had ceased.

Decision No. 308.

December 8, 1919.

CASE NO. 150. CITIZENS OF MOSCA v. DENVER & RIO GRANDE R. R.

By the terms of an order entered February 14, 1918, in the above entitled cause, the defendant was required to operate certain passenger train service between Alamosa and Salida. The defendant appeared before the Commission on December 26, 1919, and stated that, among other changes, it desired to change its passenger train service between Salida and Alamosa to a mixed train tri-weekly basis to permit the increased use of facilities for the transportation of coal to meet the emergency growing out of a general strike of coal miners. Request granted with the provision that the passenger train service between Salida and Alamosa be restored to the basis defined in the order of February 14, 1918, immediately upon the declaration by the Commission that the emergency which occasioned this order had ceased.

Decision No. 309.

December 17, 1919.

CASE NO 180. INVESTIGATION BY THE PUBLIC UTILITIES COMMISSION, ON ITS OWN MOTION, INTO THE REASONABLENESS OF RATES, RULES AND REGULATIONS OF THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY IN COLORADO AS ESTABLISHED BY THE POSTMASTER GENERAL.

Order in this cause issued December 29, 1919. On December 13, 1919, the city of Fort Collins filed a petition for rehearing, challenging the jurisdiction of the Commission insofar as its order affected the city of Fort Collins. Since the petition for rehearing

did not set forth any ground on which the petitioner considered the decision unlawful or unreasonable the petition was denied. The Commission stated, however, that it was willing to enter into a proper stipulation with the city of Fort Collins for the purpose of certifying to the Supreme Court for its judgment the sole question of jurisdiction raised by the petition for rehearing. In the "home rule" case brought by the city of Denver, Supreme Court Case No. 9443, City and County of Denver v. the Public Utilities Commission and the Mountain States Telephone and Telegraph Company, Justice Burke in a specially concurring opinion stated that "if the power to fix rates by compulsion exists in the city of Denver, it is by reason of the provision of Section 20 of the constitution including amended Section 6 ratifying the city's charter. If it depends upon the amendment such power is granted only to those cities which had their charters on file with the secretary of state January 22, 1913, when the amendment became effective. It would therefore take another constitutional amendment to confer this power upon other 'home rule' cities." The charter of the city of Fort Collins was filed with the secretary of state on September 24, 1913.

(Upon stipulation, the question of jurisdiction raised herein was submitted to the Supreme Court. Question not determined at date of this report.)

Decision No. 310.

December 18, 1919.

CASE NO. 37. BRECKENRIDGE CHAMBER OF COMMERCE v. COLORADO & SOUTHERN RY.

Order of the Commission dated December 8, 1919, set aside and the prior order of the Commission dated May 27, 1919, became effective, as of this date. (See Decision No. 306.)

Decision No. 311.

December 18, 1919.

CASE NO. 129. INVESTIGATION BY COMMISSION, ON ITS OWN MOTION, INTO ADVISABILITY OF PROPOSED DISCONTINUANCE BY COLORADO & SOUTHERN RY. OF PASSENGER TRAINS NOS. 39 AND 40, BETWEEN DENVER AND EASTONVILLE.

Order of the Commission dated December 8, 1919, set aside and prior order of the Commission again became effective as of this date. (See Decision No. 307.)

Decision No. 312.

December 19, 1919.

CASE NO. 150. CITIZENS OF MOSCA v. DENVER & RIO GRANDE R. R.

Order of the Commission dated December 8, 1919, set aside and prior order of the Commission, dated February 14, 1919, became effective as of this date. (See Decision No. 308.)

Decision No. 313.

December 22, 1919.

INVESTIGATION AND SUSPENSION DOCKET NO. 37.
IN RE ADVANCE IN MINIMUM CHARGE FOR ELECTRIC
SERVICE AT WRAY.

On December 1, 1919, The Wray Light and Power Company filed a schedule proposing an advance in the minimum charge for electric lighting at Wray. The Commission suspended the effective date of the schedule pending investigation and hearing. On December 22, 1919, the company advised that it desired to withdraw its schedule. Order issued permitting it to cancel the proposed schedule, maintaining the minimum charge theretofore in effect.

Decision No. 314.

December 30, 1919.

CASE NO. 176. STAR INVESTMENT CO. v. CITY AND
COUNTY OF DENVER AND BOARD OF WATER COMMIS-
SIONERS OF THE CITY AND COUNTY OF DENVER.

This order was issued upon a motion to dismiss filed by the defendant herein. The cause originated upon complaint filed by the Star Investment Company, the owner of lands within the limits of the town of Aurora, which adjoins the city of Denver, alleging that the rates for water furnished the complainant by the municipal water utility of the city and county of Denver were unreasonable and unjust. Among other things, complainant stated that when the city of Denver took over the property of the Denver Union Water Company it also assumed the obligations of the Denver Union Water Company in supplying water to the town of Aurora; that the charges demanded of the complainant by the defendant were considerably in excess of those previously charged by the Denver Union Water Company.

Instead of filing answer to the complaint the City and County of Denver filed a motion to dismiss, alleging, among other things, that since the city of Denver is a "home rule" city, the Commission could exercise no jurisdiction over the operations of its water utility. The Commission admitted that under the ruling of the Colorado Supreme Court "home rule" cities have jurisdiction over the operations of public utilities within their municipal limits, but held that the City and County of Denver and the Board of Water Commissioners, in serving consumers with water beyond the city limits, became a public utility and subjected themselves to the jurisdiction of the Commission under the Public Utilities Act; that selling a public utility service outside its municipal boundaries the city acts not in its governmental capacity but in its private business capacity and is subject to the laws applicable to a private individual or corporation engaged in the same business; that in serving water to consumers outside of its boundaries the city must charge such rates and apply such rules as are reasonable and as

would be applicable to any other corporation or individual serving water to individuals of the state. In its finding the Commission stated:

"The City and County of Denver certainly would not have authority to grant any franchise to any person or corporation primarily to operate a water plant within the town of Anrora, as it can perform no governmental function therein, and if the city itself engages in the operation of a water system therein it must do so in its private business capacity and conform to every law that would apply to a private company or individual."

Motion of the defendant to dismiss was denied and defendant ordered to answer complaint within 15 days.

Decision No. 315.

December 30, 1919.

APPLICATION NO. 64. APPLICATION OF INDUSTRIAL SUGAR CO. FOR PERMISSION TO CONSTRUCT PRIVATE RAILROAD TRACKS OVER PUBLIC HIGHWAY IMMEDIATELY NORTH OF FORT LUPTON, WELD COUNTY.

Application for construction of railroad tracks to provide the sugar factory of the applicant at Fort Lupton with a spur track connecting with the tracks of the Union Pacific Railroad, such spur track to be confined solely to the handling of sugar beets and sugar beet products. Application granted with the provision that applicant maintain the highway across and between the tracks and shall, at any time in the future that paving or other improvement may be made by the State Highway Commission on this particular piece of road, adjust without expense to the state the level of such crossing to the cross section of the highway at this point, and at its own expense maintain and pave the road across and between the tracks to the outside limit of the ties.

Decision No. 316.

January 8, 1920.

CASE NO. 178. SMUGGLER LEASING CO v. ROARING FORK ELECTRIC LIGHT AND POWER CO.

Complaint of Smuggler Leasing Company against reasonableness of rates for power at Aspen established by Roaring Fork Electric Light and Power Company. Dismissed on demurrer of defendant that complainant had failed to properly file complaint. In dismissing complaint the Commission announced that on its own motion it would initiate investigation into the reasonableness of power rates of the Roaring Fork Electric Light and Power Company, so as to permit complainant further recourse.

Decision No. 317.

January 12, 1920.

APPLICATION NO. 17. APPLICATION OF DENVER TRAMWAY CO. FOR AN ORDER ESTABLISHING JUST AND REASONABLE RATES, FARES AND CHARGES ON ITS STREET AND INTERURBAN RAILWAY LINES.

Order continuing until the further order of the Commission the date of hearing on the petition of the City and County of Denver for rehearing.

Decision No. 318.

January 14, 1920.

APPLICATION NO. 63. APPLICATION OF CRAIG SERVICE ASSOCIATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for a certificate of public convenience and necessity for the establishment of an electric light and power plant and system in the town of Craig. Certificate issued.

Decision No. 319.

January 14, 1920.

APPLICATION NO. 67. APPLICATION OF WESTERN COLORADO POWER CO. FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IN THE CITY OF MONTROSE.

Applicant already operating electric light and power system in Montrose. Requested certificate after obtaining renewal of its franchise by vote of qualified electors of Montrose, in accordance with Section 35 (b) of the Public Utilities Act. Certificate issued.

Decision No. 320.

January 17, 1920.

APPLICATION NO. 62. APPLICATION OF EDWARD C. MASON AND JOHN KLEIN UNDER FIRM NAME OF OVERLAND MOTOR EXPRESS CO. FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR ESTABLISHMENT OF MOTOR TRUCK TRANSPORTATION LINE BETWEEN DENVER AND BOULDER.

Objection to issuance of certificate made by Green Transfer Company, which previously had obtained certificate for same territory. Certificate issued, the Commission holding that grant of authority to one transportation line does not necessarily preclude similar grant to a second transportation line.

Decision No. 321.

February 2, 1920.

CASE NO. 170. J. P. ADAMS ET AL. v. CHICAGO, BURLINGTON & QUINCY R. R. CO.

Petition of Chicago, Burlington & Quincy Railroad Company for rehearing denied. (See Decisions 281 and 303.)

Decision No. 322.

February 2, 1920.

APPLICATION NO. 52. APPLICATION OF CITIZENS OF PEETZ FOR OPENING OF PUBLIC HIGHWAY CROSSING AT GRADE OVER TRACKS OF CHICAGO, BURLINGTON & QUINCY R. R. CO.

Petition of Chicago, Burlington & Quincy Railroad Company for rehearing denied. (See Decisions 286 and 304.)

Decision No. 323.

February 9, 1920.

CASE NO. 181. ENOS A. MILLS v. ROCKY MOUNTAIN PARKS TRANSPORTATION CO.

Complaint as to service furnished by defendant to points in the Estes Park and Rocky Mountain National Park regions. Complaint dismissed. The Commission held that since there are no railroads or street railways operating in the Estes Park and Rocky Mountain National Park regions it is without jurisdiction to entertain the complaint, by reason of the fact that Section 2 (c) defines an automobile transportation line as a common carrier only when it is operating in competition with railroads or street railways.

Decision No. 324.

March 27, 1920.

APPLICATION NO. 73. APPLICATION OF REDVALE & CEDAR TELEPHONE CO. FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for a certificate of public convenience and necessity, in accordance with Section 35 of the Public Utilities Act, for the establishment of a telephone line between Redvale and Cedar. Certificate issued.

Decision No. 325.

March 29, 1920.

APPLICATION NO. 78. APPLICATION OF CITY OF FORT COLLINS FOR PERMISSION TO ABANDON A PORTION OF THE FORT COLLINS MUNICIPAL STREET RAILWAY TRACK.

The track involved was outside the corporate limits of the City of Fort Collins and not in use. Application granted.

Decision No. 326.

April 1, 1920.

APPLICATION NO. 76. APPLICATION OF MIDLAND TERMINAL RY. FOR PERMISSION TO DISCONTINUE AGENCY AT INDEPENDENCE.

Testimony introduced at hearing in Victor showed that cost of maintaining agency was approximately \$130.00 per month; that average revenue was less than \$200.00 per month; that business could be handled at Bull Hill station, but that if any patron of road prefers to ship from Independence, he may still do so. No protest filed and no appearance made by shippers at hearing. Permission to close agency granted.

Decision No. 327.

April 3, 1920.

APPLICATION NO. 65. APPLICATION OF BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY FOR THE ESTABLISHMENT OF A PUBLIC HIGHWAY CROSSING AT GRADE OVER TRACKS OF DENVER & INTERMOUNTAIN RAILROAD.

Application for public highway crossing over the tracks of the Denver & Intermountain Railroad along the east section line of Section 2, T. 4 S., R. 69 W., Jefferson County, near Wyman's station. County agreed to furnish materials for wing fences and planking and to do necessary grading, the railroad agreeing to perform all other work. Application granted.

Decision No. 328.

April 7, 1920.

APPLICATION NO. 68. APPLICATION OF TOWN OF VONA FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for a certificate of public convenience and necessity for the establishment of a water works system. Certificate issued.

Decision No. 329.

April 7, 1920.

APPLICATION NO. 70. APPLICATION OF THE TOWN OF SEIBERT FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for a certificate of public convenience and necessity for the establishment of a water works system. Certificate issued.

Decision No. 330.

April 9, 1920.

APPLICATION NO. 69. APPLICATION OF THE TOWN OF EADS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for a certificate of public convenience and necessity for the establishment of a water works system. Certificate issued.

Decision No. 331.

April 13, 1920.

APPLICATION NO. 72. APPLICATION OF R. HERLE AYRES FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for a certificate of public convenience and necessity for the establishment of an automobile transportation line as a common carrier between Sterling and Holyoke and Holyoke and Julesburg. Certificate issued.

Decision No. 332.

April 16, 1920.

APPLICATION NO. 75. APPLICATION OF WARD-BURNS STAGE LINE FOR THE ESTABLISHMENT OF AN AUTOMOBILE LINE AS A COMMON CARRIER OF PASSENGERS BETWEEN DENVER AND LITTLETON.

Petition of intervention filed by town of Littleton stating that there is no public necessity for the proposed auto transportation line; that the Denver & South Platte Railway Company supplies all transportation needs in this territory; that an auto transportation line in competition therewith would hinder the successful operation of the railway line and would be a detriment to the town, and that applicant has not obtained, and cannot obtain, a franchise from the town of Littleton. Objection also filed by Denver & South Platte Railway Company. Applicant failed to appear at hearing set for March 16, 1920, or at postponed hearing set for April 6, 1920. Application denied.

Decision No. 333.

April 19, 1920.

APPLICATION NO. 41. APPLICATION OF MIDLAND
TERMINAL RY. CO. FOR PERMISSION TO DISCONTINUE
AGENCY AT ELKTON.

Testimony showed that both the Elkton station and applicant's entire system had been operating at a loss for the preceding six months. Because of economies being necessary to insure continued operation of the railway the application was granted. (See Decision No. 257.)

Decision No. 334.

May 5, 1920.

CASE NO. 167. FARMERS' ELECTRIC AND POWER CO.
v. TOWN OF AULT.

Hearings at Ault and Denver. Complainant alleged that the town failed to comply with the requirements of Section 35 of the Public Utilities Act, providing for the issuance of certificates of public convenience and necessity, in beginning construction of a municipal electric system in competition with the electric system of the complainant already in operation in the town of Ault. The town denied the jurisdiction of the Commission, but subsequently amended its answer to the complaint by requesting the Commission to issue it a certificate of public convenience and necessity. Evidence was introduced to show that the Farmers' Electric and Power Company was not furnishing adequate service in the town of Ault. Certificate issued, the Commission finding that public convenience and necessity required the establishment of the municipal electric light and power system. In its order the Commission emphasized its disapproval of the method of procedure pursued by the town, and pointed out that if, in the first instance, it had complied with the requirements of the law, the controversy between the town and the electric company would have been determined at a much earlier date.

Decision No. 335.

May 7, 1920.

APPLICATION NO. 80. APPLICATION OF TOWN OF
HUGO FOR A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY.

Application for a certificate of public convenience and necessity for the establishment of a municipal electric light and power system in the town of Hugo. On July 30, 1919, Decision 265, a certificate was issued to the Lincoln Light and Power Company to construct an electric light and power system at Hugo. The com-

pany did not exercise the authority granted it and in the instant case filed a statement advising that it had no intention to exercise such authority. It requested that a certificate be issued to the town. Certificate issued.

Decision No. 336.

May 10, 1920.

CASE NO. 182. TOWN OF HAXTUN v. CHICAGO, BURLINGTON & QUINCY R. R. CO.

Complaint as to alleged inadequacy of station facilities at Haxtun. Testimony showed that railroad company had commenced certain enlargements of its depot building, but the work was stopped by an injunction obtained by the town on the ground that such construction was not in accordance with the requirements of a town ordinance prescribing to fire limits, such ordinance having been passed subsequent to the commencement of improvement work on the depot. The Commission held that the only issue before it was the question of adequacy of depot facilities at Haxtun existing at the time of the filing of complaint. Complaint dismissed without prejudice, the Commission holding that the evidence and its own investigation did not justify the construction of new depot facilities at that time.

Decision No. 337.

May 19, 1920.

APPLICATION NO. 33. APPLICATION OF CRYSTAL RIVER R. R. CO. FOR PERMISSION TO DISCONTINUE SERVICE TEMPORARILY.

Order issued extending permission for cessation of operation from June 1, 1920, until June 1, 1921, unless such order be modified or otherwise changed by Commission. (See Decision 301.)

Decision No. 338.

May 19, 1920.

APPLICATION NO. 74. APPLICATION OF TOWN OF OTIS FOR ESTABLISHMENT OF PUBLIC HIGHWAY CROSSING.

Application for the establishment of a public highway crossing at grade over the tracks of the Chicago, Burlington & Quincy Railroad at Washington Street, Otis. Application granted.

Decision No. 339.

May 26, 1920.

APPLICATION NO. 5. APPLICATION OF CRYSTAL RIVER & SAN JUAN R. R. CO. FOR PERMISSION TO DISCONTINUE OPERATIONS TEMPORARILY.

Order extending from June 1, 1920, to December 31, 1920, unless otherwise modified, the authority theretofore granted for temporary cessation of operation. (See Decisions 276 and 300.)

Decision No. 340.

June 5, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 44. IN RE ADVANCE IN PULLMAN CAR FARES.

On March 27, 1920, the Pullman Company filed tariffs proposing a 20 per cent increase in Pullman charges on state business in Colorado, this increase being in line with an increase in interstate Pullman fares granted by the Interstate Commerce Commission, effective May 1, 1920. The tariff was suspended pending investigation and hearing. Hearing was held at Denver May 10, 1920. Among other things it was shown that the cost of operating a Pullman car in Colorado during the year 1920 would not be less than \$8,719.08, and that this figured against the revenue per car for 1919, which amounted to \$8,362.68, would leave a deficit of \$356.40 per car. Increased rates permitted to become effective June 15, 1920.

Decision No. 341.

June 9, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 43. IN RE ADVANCE IN WATER RATES AT OTIS.

On March 20, 1920, the town of Otis filed a schedule proposing a rate of \$1.50 for the first 1,000 gallons of water consumed per month and 80 cents per 1,000 gallons for all consumption in excess of that amount, with a minimum monthly charge of \$1.50. The rate theretofore in effect had been \$1.50 for the first 1,000 gallons and 35 cents to 50 cents per 1,000 gallons for consumption in excess of the first 1,000 gallons. Protest against the reasonableness of the proposed new rates was filed and the effective date of the schedule was suspended pending investigation. Subsequently an agreement was reached whereby the town withdrew its schedule and filed a new basis of rates as suggested by the Commission, to which protestant agreed.

Decision No. 342.

June 9, 1920.

APPLICATION NO. 44. APPLICATION OF THE LINCOLN LIGHT AND POWER CO. FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

On July 30, 1919, a certificate was issued to The Lincoln Light and Power Company for the establishment of an electric light and power system in the town of Hugo. Certificate canceled for failure to exercise authority granted therein. (See Decisions 265 and 335.)

Decision No. 343.

June 9, 1920.

CASE NO. 167. FARMERS' ELECTRIC LIGHT AND POWER CO. v. TOWN OF AULT.

Motion for rehearing denied.

Decision No. 344.

June 21, 1920.

CASE NO. 167. FARMERS' ELECTRIC LIGHT AND POWER CO. v. TOWN OF AULT IN RE CITATION FOR VIOLATION OF COMMISSION'S ORDER OF SEPTEMBER 25, 1919.

On September 25, 1919, the Commission issued an order prohibiting the town of Ault, its officers, agents, attorneys and employees or any one acting by, through or under it from extending the town's electric light system and from adding any new consumers to its system until the final determination of this cause. On February 21, 1920, the Farmers' Electric Light and Power Company filed a motion that the town be cited for contempt for violation of the Commission's order of September 25, 1919, and in support of its motion filed an affidavit alleging certain specific violations of such order by different persons, among them being one John W. Duncan, a member of the board of trustees of the town. Most of the persons named by the Farmers' Electric and Power Company filed affidavits that they, or persons acting for them, connected their homes or places of business with the municipal system without knowledge of the town board or any one authorized to represent the town. At the hearing Duncan admitted that his place of business had been connected with the municipal plant, but denied that he was responsible for such connection or had any knowledge of the identity of the person who made the connection. The town was exonerated from the charge of contempt since it had not been shown that service connections for any of the persons named in complainant's complaint had been made

by order of the town, or its officers, agents, employees or any person acting in an official capacity for the town.

Decision No. 345.

June 21, 1920.

APPLICATION NO. 77. APPLICATION OF M. E. THOMAS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for a certificate of public convenience and necessity for the establishment of a motor truck transportation line between Denver and Evergreen via Mount Morrison and Joylan. Certificate issued for operation between Denver and Morrison, the Commission holding that it had no authority to issue a certificate for operation of a line between Morrison and Evergreen for the reason that between those points the automobile line would not be in competition with a railroad or a street railway, as contemplated by Section 2 (e) of the Public Utilities Act.

Decision No. 346.

June 26, 1920.

APPLICATION NO. 87. APPLICATION OF THEODORE H. WOBERMIN FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for a certificate of public convenience and necessity for the establishment of an electric light and power system in the town of Deertrail. Certificate issued.

Decision No. 347.

June 30, 1920.

APPLICATION NO. 92. APPLICATION OF CANON GAS CO. FOR PERMISSION TO INCREASE RATES AND CHARGES.

Applicant permitted to increase its rates for all consumption to \$2.00 net per 1,000 cu. ft. of gas sold with a minimum monthly guarantee of 75 cents. The order required the company within a reasonable time to make such improvements as would assure a reasonable quality and quantity of gas to its consumers. Investigation and evidence submitted at the hearing showed that the real issue was whether the company could continue to operate regardless of any rate advance that might be permitted. Based on the amount of gas sold during the year 1919, it was shown that operating costs had advanced to such an extent that even with a rate of \$2.00 net a deficit of approximately \$212.79 might be expected for the year 1920. Copies of resolutions by the City Council of Canon City and the Canon City Chamber of Commerce asking that the increase be

granted, but that the company be required to furnish reasonable service, were filed with the Commission.

Decision No. 348.

July 15, 1920.

APPLICATION NO. 99. APPLICATION OF GREAT WESTERN RY. CO. FOR AUTHORITY TO ESTABLISH A TEMPORARY CROSSING.

Application for an order permitting the establishment of a temporary crossing at grade over public highway 14 S, near Johnstown. Crossing needed in connection with building of a new sugar factory at Johnstown. Application granted.

Decision No. 349.

July 15, 1920.

CASE NO. 13. F. G. BONFILS ET AL. v. UNION PACIFIC R. R. CO.

Cause involved a claim for reparation upon charges paid on coal from the northern Colorado coal fields to Denver, following a Supreme Court ruling upholding the reasonableness of rate reductions ordered by the Public Utilities Commission and its predecessor, the Railroad Commission. Cause dismissed upon filing of stipulation showing that all claims and demands had been settled and paid upon a basis theretofore approved by the Commission.

Decision No. 350.

February 16, 1920.

APPLICATION NO. 98. APPLICATION OF GREAT WESTERN RY. CO. FOR PERMISSION TO CONSTRUCT A RAILWAY TRACK OVER PUBLIC HIGHWAY.

Request for permission to construct railway track over public highway 14 S, near Johnstown, Weld County. Application granted.

Decision No. 351.

August 9, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 48. IN RE WATER RATES AT EVERGREEN.

Protest by consumers against a rate schedule filed by the Evergreen Utilities Company. Since no previous schedule had been filed, the company was permitted to make the rates effective temporarily without prejudice to the rights of the consumers to bring formal complaint against reasonableness of such rates. (See Decision 369.)

Decision No. 352.

August 17, 1920.

CASE NO. 33. DENVER & SALT LAKE R. R. CO. v. CHICAGO, BURLINGTON & QUINCY R. R. CO. CASE NO. 35. DENVER & SALT LAKE R. R. CO. v. UNION PACIFIC R. R. COMPANY.

Cause involved division of joint rates maintained by carriers party to the action. Order of dismissal issued upon filing of stipulation setting out that matters and things at issue had been fully compromised and settled, the Commission previously having approved basis of settlement.

Decision No. 353.

August 17, 1920.

CASE NO. 34. DENVER & SALT LAKE R. R. CO. v. CHICAGO, ROCK ISLAND & PACIFIC RY. CO.

Cause involved division of joint rates maintained by carriers party to the action. Order of dismissal issued upon filing of stipulation setting out that matters and things at issue had been fully compromised and settled, the Commission previously having approved basis of settlement.

Decision No. 354.

August 18, 1920.

APPLICATION NO. 106. APPLICATION OF TOWN OF PIERCE FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for certificate of public convenience and necessity for the establishment of a water works system. Certificate issued.

Decision No. 355.

August 25, 1920.

APPLICATION NO. 91. APPLICATION OF ATCHISON, TOPEKA & SANTA FE RY. CO. ET AL. FOR PERMISSION TO INCREASE FREIGHT AND PASSENGER RATES ON STATE TRAFFIC IN COLORADO, IN CONFORMITY WITH INCREASES ON INTERSTATE TRAFFIC GRANTED BY THE INTERSTATE COMMERCE COMMISSION.

The parties to this cause were The Atchison, Topeka & Santa Fe Railway Company, The Chicago, Burlington & Quincy Railway Company, Chicago, Rock Island & Pacific Railway Company, Colorado & Southern Railway Company, A. R. Baldwin, Receiver of the property of the Denver & Rio Grande Railroad Company, W. R. Freeman and C. Boettcher, Receivers of the property of the Denver & Salt Lake Railroad Company, Missouri Pacific Railway

Company, Union Pacific Railroad Company, Rio Grande Southern Railroad Company, Denver & Intermountain Railroad Company, Colorado & Southeastern Railroad Company, Great Western Railroad Company, San Luis Central Railroad Company, Colorado, Wyoming & Eastern Railway Company, Cripple Creek & Colorado Springs Railroad Company, as applicants, and San Luis Southern Railway Company, Colorado-Kansas Railway Company and Midland Terminal Railway Company as intervenors.

Permission granted to increase freight rates 35 per cent in that part of the state lying on and east of a north and south line running through Denver, Colorado Springs, Pueblo and Trinidad—Colorado common points—and 25 per cent in the territory in Colorado west of such line; also permission, applying to all territory in the state served by applicants and intervenors, to increase passenger fares and excess baggage rates 20 per cent, together with a surcharge upon passengers in sleeping and parlor cars amounting to 50 per cent of the charge for space in such cars, the revenue from the surcharge to accrue to the rail carrier and not to the sleeping car company. Application to increase rates for transportation of milk and cream on passenger trains denied. Carriers permitted to make increases effective September 1, 1920; authority to make increases expiring October 15, 1920. Order sets out that increase permitted to the expectation that the carriers shall thereafter render adequate and efficient service in Colorado. The order states that:

“Applicants and the public will understand that such increases are authorized temporarily and may be made subject to readjustment or modification at any time application is made in that behalf, and that upon such application being made, the carrier or carriers will be required to justify such increases.”

Decision No. 356.

August 30, 1920.

APPLICATION NO. 108. W. R. FREEMAN AND C. BOETTCHER, RECEIVERS OF DENVER & SALT LAKE R. CO. FOR INCREASES IN RATES.

In deciding the interstate rate advance case, for rate making purposes the Interstate Commerce Commission divided the western territory into two groups by creating a new group known as the Mountain-Pacific group, the division line passing through Colorado along the line of the Colorado common points, Denver, Colorado Springs, Pueblo and Trinidad. A 35 per cent increase in freight rates was permitted in the territory east of this line, and a 25 per cent increase in the territory west of the line. These percentages were followed by the Public Utilities Commission in permitting increases in state rates in Application No. 91. The Denver & Salt Lake Railroad is located in the Mountain-Pacific group, and therefore was permitted to increase freight rates 25 per cent. In the

present ease it requested authority to increase its freight rates 35 per cent, the same percentage of advance allowed the roads east of the Colorado common point line.

Evidence was presented to show that the operation of the road from July 1, 1918, to June 30, 1920, resulted in a deficit of \$2,531,-227.47 and that if a 35 per cent instead of a 25 per cent freight rate advance were to be allowed, upon the basis of freight handled by the road in the year 1919, there would still be a deficit of \$843,-167.00 in operating expenses. In view of this showing, and the further fact that increased revenues were essential to the continued operation of the road, the Commission authorized a 35 per cent instead of a 25 per cent increase in freight rates, and a 35 per cent instead of a 33 $\frac{1}{3}$ per cent increase in joint rates, the additional 1 $\frac{2}{3}$ per cent in joint rates to accrue solely to the Denver & Salt Lake Railroad.

Decision No. 357.

August 30, 1920.

CASE NO. 187. CITIZENS OF LONGMONT v. COLORADO & SOUTHERN RY. CO.

Complaint against practice of the railroad in permitting passenger trains to block the Lincoln Highway which passes near the Colorado & Southern depot in Longmont. Agreement reached whereby the railroad extended its depot platform and issued orders that all passenger trains make stops so as to no longer block or in any manner to interfere with either foot or vehicular traffic over or across the Lincoln Highway crossing. Upon completion of the depot platform an order of dismissal was issued without prejudice to the rights of either party to the cause.

Decision No. 358.

August 31, 1920.

APPLICATION NO. 91. APPLICATION OF ATCHISON, TOPEKA & SANTA FE RY. CO. FOR PERMISSION TO INCREASE RATES AND CHARGES ON STATE TRAFFIC IN COLORADO.

This is a supplementary proceeding wherein carriers, parties to Application No. 91 (See Decision 355) requested permission to establish a rule to provide that where fractions occurred in computing passenger fares in connection with the 20 per cent increase granted in Application No. 91, enough be added to make the fare end in a full cent; also a rule providing that round trip tickets sold prior to September 1, 1920 (the date of increase allowed in rate advance case) upon which passage had not commenced by that date, would not be honored for passage on or after September 1, 1920, but would be redeemed at the full fare paid therefor. The Commission denied permission to establish such rules. Instead, it

directed the carriers to establish a rule providing that in computing passenger fares, when such computation results in one-half cent or less, the fractional cent shall be omitted, and when the computation results in more than one-half cent but less than a whole cent, the amount shall be increased to the next whole cent.

Decision No. 359.

September 8, 1920.

CASE NO. 190. J. B. DICK v. CHICAGO, BURLINGTON & QUINCY R. R.

Complainant, the owner of land along defendant's railroad track in Logan County, complained that the railroad had constructed a fill for the purpose of supporting its tracks; that such fill had been constructed without drains or outlets, and as a result the flood waters accumulated around complainant's house and on his land in a manner detrimental to the health and safety of the public in general and to the complainant and his family in particular. Complaint satisfied by railroad company constructing a spillway or drain. By agreement on part of complainant the complaint was thereafter dismissed.

Decision No. 360.

September 8, 1920.

APPLICATION NO. 85. APPLICATION OF TRINIDAD ELECTRIC TRANSMISSION RY. & GAS CO. FOR PERMISSION TO ABANDON SERVICE ON A PORTION OF ITS STREET RAILWAY IN THE CITY OF TRINIDAD.

Application for permission to abandon service on the street railway line on Pine Street between Arizona and San Juan streets and to remove the track from Pine Street between State and San Juan streets. Application denied. Applicant, however, permitted to increase urban street railway fares from 6 cents to 7 cents since the evidence disclosed that applicant's street railway system as a whole had not been earning its legitimate operating expenses.

Decision No. 361.

September 9, 1920.

APPLICATION NO. 107. APPLICATION OF HIGHWAY DEPARTMENT OF THE STATE OF COLORADO FOR PERMISSION TO RELOCATE PUBLIC HIGHWAY CROSSING OVER RAILROAD TRACKS.

Application for the relocation of a highway crossing over the tracks of the Denver & Rio Grande and Colorado Midland railroads near Aspen. Application granted.

Decision No. 362.

September 18, 1920.

APPLICATION NO. 93. APPLICATION OF TOWN OF WILLIAMSBURG, FREMONT COUNTY, FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application for a certificate of public convenience and necessity for the construction of a pipe line to supply water to the town of Williamsburg and its inhabitants. Case involved construction of water pipe line to connect with water system of Coal Creek Water & Light Co. for carriage of water to Williamsburg. Application granted.

Decision No. 363.

September 24, 1920.

APPLICATION NO. 109. APPLICATION OF TOWN OF FLAGLER FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application of the town of Flagler for a certificate of public convenience and necessity for the establishment of a water-works system. Certificate issued.

Decision No. 364.

September 25, 1920.

APPLICATION NO. 91. APPLICATION OF COLORADO & WYOMING RY. CO. FOR PERMISSION TO INCREASE FREIGHT AND PASSENGER RATES UPON FIVE DAYS' NOTICE.

Filed as a supplementary application to Application No. 91. Applicant was not a party to the general freight and passenger rate case (Application No. 91). Because, as a result of increases allowed in that case, its rates and fares were out of line with those of other carriers in Colorado, the Colorado & Wyoming requested that it be permitted to increase freight and passenger rates in conformity with increases granted other carriers similarly situated. Application granted.

Decision No. 365.

October 2, 1920.

CASE NO. 197. MONTE VISTA COMMERCIAL CLUB ET AL. v. A. R. BALDWIN, RECEIVER, DENVER & RIO GRANDE R. R. CO. ET AL.

Complaint filed by Monte Vista Commercial Club and individual shippers in the San Luis Valley against the reasonableness of a rule of the Denver & Rio Grande and San Luis Central railroads governing the loading of potatoes in refrigerator cars during periods of car shortage. The rule provided that when a per-

son loaded a car but failed to give billing instructions, such failure to actually ship out the car would be deemed evidence that such person was not an actual shipper and his name therefore would be stricken from the list of shippers from which allotment of cars were made and would not be reinstated until evidence had been presented showing him to be a bona fide shipper. The complainant alleges that such rule was unfair to growers of potatoes and placed in the hands of buyers and dealers an undue advantage over the price paid growers for their potatoes. Hearing held at Monte Vista. The Commission ordered the railroads to cancel the rule and in its stead to establish a rule providing that any grower, owner, or other person or organization being the owner and in possession of potatoes in carlot quantities at the time of placing orders for cars shall be deemed a shipper for the purpose of securing allotment of cars and that in event such grower, owner or other person or organization sells or transfers title to potatoes loaded in cars so allotted prior to giving billing instructions, and the actual billing of such car is tendered by the purchaser within the time required by the rules, such sale or transfer shall be without prejudice to the right of such grower, owner or other person or organization to receive further allotment of cars under the rules.

Decision No. 366.

October 7, 1920.

APPLICATION NO. 59. APPLICATION OF DURANGO RAILWAY & REALTY CO. FOR PERMISSION TO DISCONTINUE SERVICE AND REMOVE ITS STREET RAILWAY TRACKS.

Application to abandon service originally made October 1, 1919. Hearing held at Durango, November 8, 1919, and application denied December 6, 1919, the company being permitted to increase its cash fares to 7 cents and to sell 10 tickets for 65 cents. This cause arises upon a supplementary application. Evidence showed that despite the increase in the rate of fare, operating revenues were less than operating expenses during the period from January 1, 1920, to September 1, 1920; also that the property had been operated economically, and that if the company were required to continue in operation, additional expenditures would be necessary for repairs and increased wages for motormen. An offer previously had been made to sell the street railway to the city of Durango for \$25,000.00, but the proposition was not accepted. No protests against discontinuance of operation of the street railway were filed or presented at hearing. Application granted, with the stipulation that the line operate until the close of La Plata County fair on October 9, 1920, and that the company remove its tracks, ties, wires, etc., and leave the streets in a reasonably good condition.

Decision No. 367.

October 18, 1920.

CASE NO. 194. WILLIAM ATWOOD v. COLORADO & SOUTHERN, CHICAGO, BURLINGTON & QUINCY AND UNION PACIFIC R. R.

Complaint alleged unreasonableness of rates on coal from the Frederick and Louisville coal fields to Longmont. Complainant and defendants appeared before the Commission on October 18, 1920, the day set for hearing, and filed a stipulation stating that all matters involved had been satisfactorily adjusted, defendants having made certain adjustments in rate. Upon complainant's request, order was issued dismissing complaint.

Decision No. 368.

October 19, 1920.

CASE NO. 82. AMERICAN SMELTING AND REFINING CO. v. UNION PACIFIC R. R. CO.

This cause involved a claim for reparation upon freight charges on coal from the northern Colorado coal fields to Denver, following a Supreme Court ruling upholding the reasonableness of rate reductions ordered by the Public Utilities Commission and its predecessor, the Railroad Commission. Cause dismissed upon filing of stipulation showing that all claims and demands had been settled and paid upon a basis theretofore approved by the Commission.

Decision No. 369.

October 25, 1920.

CASE NO. 193. FRANK E. HELVEY ET AL. v. EVERGREEN UTILITIES CO.

Complaint alleged unreasonableness of rates, rules and regulations of defendant governing the sale of electricity and water. Subsequently petition was filed by Helvey and other original signers of complaint advising that since the time of filing complaint the situation relative to the charges and regulations of defendant had been explained to them, that they, therefore, desired to withdraw their complaint. Order issued in accordance with petition of complainants.

Decision No. 370.

October 27, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 38.
IN RE ADVANCE IN WATER RATES OF CITY OF DURANGO.

Upon the protest of the town of Animas City, the Commission suspended that part of a newly filed rate schedule of the city of Durango which provided for an increase in the rate charged

by the city of Durango for water carried through its main supply pipe line to a certain point where it is turned into the supply line of the water system of Animas City. In protesting against the increase Animas City requested an order compelling the city of Durango to comply with certain contracts entered into by Animas City and Durango, prescribing charges to be paid by Animas City and the manner of making such charges. The city of Durango maintained that the contracts entered into with Animas City had become null and void. The Commission found that "in carrying water for Animas City the city of Durango is performing a private service for Animas City, using a surplus of plant not dedicated to public use and distinguished from its duty to serve its patrons as a public utility." In this connection it was pointed out that the water in question is owned by Animas City and is sold by Animas City through its own distribution system in Animas City.

The Commission further held that if the contract between Animas City and Durango should be abrogated by a court of competent jurisdiction and a proceeding thereafter instituted before the Commission by either or both parties under provision of Section 28 of the Act (authorizing the Commission to prescribe terms governing joint use of facilities by two or more public utilities), the Commission would make a valuation of the water systems of Durango and Animas City and prescribe terms for the joint use of the Durango pipe line in accordance with such findings.

The rate of the city of Durango relating to Animas City was permanently suspended and ordered expunged from the rate schedule.

Decision No. 371.

October 27, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 39.
IN RE REDUCTION IN DISCOUNT ON COMMERCIAL LIGHT-
ING AT BRUSH.

Pending investigation and hearing the Commission suspended the effective date of a schedule providing for a reduction of from 10 per cent to 5 per cent in the discount on bills for commercial lighting paid on or before the tenth day of the month. Subsequently the Brush Light and Power Company requested permission to withdraw the new schedule. This it was permitted to do by filing a schedule cancelling the one under suspension and leaving the discount unchanged.

Decision No. 372.

November 3, 1920.

APPLICATION NO. 94. APPLICATION OF AMERICAN
RAILWAY EXPRESS CO. FOR AUTHORITY TO INCREASE
EXPRESS RATES AND CHANGE ITS CLASSIFICATION.

Application for permission to increase express rates on intra-state traffic in Colorado in conformity with increases in rates on

interstate traffic as authorized by the Interstate Commerce Commission. Applicant permitted to file tariffs increasing rates on intrastate traffic 26 per cent, except as to the proposed increases on milk and cream, which were denied. This 26 per cent increase was in line with action taken by the Interstate Commerce Commission in granting a 12½ per cent increase in express rates and subsequently a 13½ per cent increase, the second increase following the award of the United States Railway Labor Board increasing the wages of express company employes approximately \$42,296,340.00 annually. Rates to points on the line of the Denver & Salt Lake Railroad were exempt from the application of terms of this order. Separate treatment being necessary in an adjustment of rates on that line.

Decision No. 373.

November 3, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 45.
IN RE ADVANCE IN WATER RATES OF CRESTED BUTTE
LIGHT & WATER CO.

The effective date of a rate schedule of the Crested Butte Light & Water Company was suspended pending investigation and hearing. The investigation involved a valuation by the Commission of the water utility of the respondent. The Commission found \$40,000.00 to be the value of the Company's water plant for rate-making purposes. A rate schedule was prescribed and ordered to be filed by the respondent. It was found that the respondent had not been charging its electric utility for water used for power purposes. It was ordered to charge the electric utility \$1,200.00 per year for water used for power purposes, this amount being based upon an estimate of \$8,000.00 as the increased cost of the plant made necessary to deliver power water over and above the estimated cost of the plant necessary to deliver water for domestic and commercial uses.

Decision No. 374.

November 4, 1920.

APPLICATION NO. 66. APPLICATION OF WHITE WAY
TRANSPORTATION CO. FOR CERTIFICATE TO OPERATE
AUTOMOBILE LINE AS A COMMON CARRIER BETWEEN
DENVER AND GREELEY, DENVER AND PUEBLO AND
OTHER POINTS.

Application dismissed for failure of applicant to appear and prosecute its application.

Decision No. 375.

November 9, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 40.
IN RE PROPOSED INCREASE IN POWER RATES OF COLO-
RADO POWER CO.

The Colorado Power Company in December, 1919, filed schedules proposing increases in power rates. These schedules were suspended and the company ordered to file an inventory and appraisal of its property. The law authorizes the Commission to suspend rate schedules first for a period of 120 days and then for a period of six months. The combined suspension period expired November 7, 1920, and, the company having so far failed to file an inventory, an order was issued permanently suspending the schedules but granting the company permission to refile schedules, with the understanding that such schedules would be filed and the cause determined under the original docket number.

Decision No. 376.

November 10, 1920.

APPLICATION NO. 83. APPLICATION OF YUMA-JOES
TELEPHONE CO. FOR CERTIFICATE FOR CONSTRUCTION
OF TELEPHONE LINE BETWEEN YUMA AND JOES.

Certificate issued, authorizing construction of a telephone line from Joes, in the southern part of Yuma County, a distance of 36 miles north to Yuma, there to make connection with the line of either the Wray Telephone Company or the Mountain States Telephone and Telegraph Company.

Decision No. 377.

November 13, 1920.

CASE NO. 192. CITIZENS OF HASTY v. ATCHISON,
TOPEKA & SANTA FE RY. CO.

Complaint and petition for the establishment of a railroad agency at Hasty. Complaint dismissed when it was shown that defendant had satisfied by establishing an agency at Hasty.

Decision No. 378.

November 16, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 49.
IN RE PROPOSED INCREASE IN EXPRESS RATES ON LINE
OF DENVER & SALT LAKE R. R. APPLICATION NO. 94.
APPLICATION OF AMERICAN RAILWAY EXPRESS CO.
FOR AUTHORITY TO INCREASE RATES AND CHANGE
CLASSIFICATION.

During the pendency of Application No. 94, an application for a general increase in express rates in Colorado, the American

Railway Express Company filed schedules proposing further increases in express rates on the line of the Denver & Salt Lake Railroad. The new rates were designed to so increase express over freight rates as to divert to railroad freight traffic commodities then being moved by express but which, it was contended, should legitimately be shipped by freight. These schedules were suspended pending disposition of Application No. 94. The Commission's order in Application No. 94 did not apply to express rates on the Denver & Salt Lake railroad, which rates, the Commission found, required special consideration. The order in Application No. 94 permitted an increase of 26 per cent in intrastate express rates, applicable to the whole state except to the line of the Denver & Salt Lake Railroad. Express rates on that line, in the present case, were established on a basis of station to station rates, the first-class express rates being fixed approximately as 200 per cent of the first-class freight rates and the second class express rates at approximately 150 per cent of first-class freight rates.

Decision No. 379.

November 18, 1920.

APPLICATION NO. 86. APPLICATION OF BOARD OF COUNTY COMMISSIONERS OF WELD COUNTY FOR ESTABLISHMENT OF A PUBLIC HIGHWAY CROSSING OVER TRACKS OF CHICAGO, BURLINGTON & QUINCY R. R. ONE MILE WEST OF NEW HYDE.

Application granted, with the provision that the railroad establish the crossing and the county pay the cost of grading, which cost had previously been agreed upon.

Decision No. 380.

November 18, 1920.

APPLICATION NO. 119. APPLICATION OF AMERICAN RAILWAY EXPRESS FOR PERMISSION TO DISCONTINUE EXPRESS SERVICE ON THE LINE OF THE MIDLAND TERMINAL RAILWAY.

Application to discontinue express service on the line of the Midland Terminal Railway between Colorado Springs and Cripple Creek was made by the express company following the filing by the railway company of a tariff providing for the establishment, by the railway, of what was described as preferred freight service on passenger trains. The business designed to be carried by preferred freight service was practically the same business already being handled by the express company. The railway company justified its position on the ground that its financial condition was such that it was necessary to obtain all possible revenue to guarantee the continued operation of the railway and that it was losing considerable

revenue which should accrue to it from freight transportation but which was going to the express company, the reason for this being that freight rates in some instances were higher than express rates, and as a consequence many commodities were moving by express which ordinarily should move by freight. The express company was notified of the proposal of the railway company. It filed no objection to the proposal, but instead filed its application for permission to withdraw its service from the line of the Midland Terminal Railway. This application was granted, effective November 21, 1920. At approximately the same time the preferred freight service was made operative by the railway company.

Decision No. 381.

November 19, 1920.

APPLICATION NO. 118. APPLICATION OF RECEIVER OF DENVER & SALT LAKE R. R. FOR PERMISSION TO CLOSE ROLLINSVILLE AS AN AGENCY STATION.

Protests were filed against proposal of the receiver to discontinue the railroad agency at Rollinsville. It was shown that during the year 1919 receipts at Rollinsville station amounted to \$7,552.13, or a monthly average of \$629.34, while expenses of the station amounted to \$173.26 per month during the winter months and a smaller amount during the summer. It was also shown that if Rollinsville were closed all business destined to and from that station would be handled through the agency at Tolland, five miles distant. The testimony showed that the highway between Rollinsville and Tolland was almost impassable in winter. The request of the receiver to discontinue the agency at Rollinsville was denied.

Decision No. 382.

November 19, 1920.

CASE NO. 162. FRANK TITTLER v. T. J. McCLINTOCK.

Complaint alleged defendant was operating an automobile line as a common carrier without having obtained a certificate of public convenience and necessity. Property of the defendant was subsequently purchased by the complainant. Complaint dismissed for lack of prosecution.

Decision No. 383.

November 19, 1920.

CASE NO. 173. MORRIS BROS. M. & S. CO. v. RECEIVER, DENVER & SALT LAKE R. R.

Complaint and petition for an order applying the rate on rails to various other materials derived by complainant through the dismantling of a small railroad bought to serve a lumber camp. Complaint dismissed for failure to prosecute.

Decision No. 384.

November 19, 1920.

CASE NO. 171. CITIZENS OF LAKEWOOD v. DENVER & INTERMOUNTAIN R. R. CO.

Complaint regarding curtailment of service on line of defendant between Denver and Golden. Service subsequently restored, complaint therefore dismissed.

Decision No. 385.

November 19, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 31.
IN RE ADVANCE IN ELECTRIC AND GAS RATES AT
GRAND JUNCTION.

Proposed advance in rates suspended pending investigation and hearing. Before the hearing was held respondent withdrew rate schedule under suspension. Cause dismissed.

Decision No. 386.

November 19, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 26.
IN RE ADVANCE IN ELECTRIC AND GAS RATES IN COLO-
RADO SPRINGS.

Proposed increases in gas and electric rates by the Colorado Springs Light, Heat and Power Company suspended pending investigation and hearing. Before hearing was held the Supreme Court of Colorado decided the "home rule" case, holding that "home rule" cities, which include Colorado Springs, have control over local operations of public utilities. By agreement the schedules involved in this case were indefinitely suspended. Cause dismissed.

Decision No. 387.

November 19, 1920.

APPLICATION NO. 47. APPLICATION OF J. H. FRANK-
LIN AND M. C. COFFEY FOR CERTIFICATE FOR OPERA-
TION OF AUTOMOBILE LINE AS COMMON CARRIER BE-
TWEEN DENVER, FREDERICK AND OTHER POINTS.

On June 13, 1919, a certificate was issued to applicants for operation of motor truck line as a common carrier between Denver, Frederick, Firestone and Fort Lupton. Applicants failed to pay fee for issuance of certificate as required by Section 35 of the Act. After due notice order issued cancelling certificate.

Decision No. 388.

November 20, 1920.

APPLICATION NO. 32. APPLICATION OF THE COLORADO SPRINGS AND INTERURBAN RAILWAY COMPANY FOR PERMISSION TO INCREASE STREET- RAILWAY FARES.

Application filed December 5, 1918, for valuation of company's property and establishment of fares and charges upon such valuation. Before the valuation was determined the Supreme Court of Colorado decided the "home rule" case, holding that "home rule" cities, which include Colorado Springs, have control over local operations of public utilities. Applicant was granted an increased fare through joint action by the Commission and the City Council of Colorado Springs. Application for valuation and increased fares was not prosecuted and the cause therefore was dismissed.

Decision No. 389.

November 20, 1920.

APPLICATION NO. 29. APPLICATION OF ARKANSAS VALLEY RAILWAY, LIGHT AND POWER CO. FOR PERMISSION TO INCREASE STREET RAILWAY FARES IN PUEBLO.

This cause involved an increase of street railway fares in the city of Pueblo. Hearing was set at Pueblo for January 21, 1919, but prior to that date the Supreme Court of Colorado decided the "home rule" case, holding that "home rule" cities, which includes Pueblo, have control over the local operations of public utilities. Cause dismissed for lack of jurisdiction.

Decision No. 390.

November 20, 1920.

APPLICATION NO. 71. APPLICATION OF ROBERT W. LOGAN AND HERBERT E. WELLS FOR CERTIFICATE TO OPERATE AUTOMOBILE LINE AS COMMON CARRIER BETWEEN DENVER AND COLORADO SPRINGS.

Case set for hearing on March 16, 1920. Applicants failed to appear at hearing or in any other way to prosecute application. Application dismissed for want of prosecution.

Decision No. 391.

November 22, 1920.

INVESTIGATION AND SUSPENSION DOCKET NO. 32. IN RE ADVANCE IN ELECTRIC RATES AT FRUITA.

Schedule of increased rates at Fruita proposed by the Grand River Railway Company, which operates the electric utility at that point, was suspended pending investigation and hearing. Prior to the hearing the respondent company asked for and was granted permission to withdraw the schedule. Cause was therefore dismissed for want of prosecution.

Decision No. 392.

November 29, 1920

APPLICATION NO. 116. APPLICATION OF RECEIVER OF DENVER & INTERURBAN R. R. CO. FOR PERMISSION TO INCREASE PASSENGER FARES.

Applicant sought permission to increase local one-way fares from 3 cents to 3.5 cents per mile, and commutation fares from 2.2 cents to 2.4 cents per mile on 25-ride tickets and from 1.9 cents to 2.1 cents per mile on 50-ride tickets, between Denver and Boulder and intermediate points, with proportionate increases in special train rates and Sunday round-trip fares between Denver and Eldorado Springs between May 15 and October 31. In support of the application it was stated that the fare between Denver and Boulder by steam railroad was upon a basis of 3.6 cents per mile; that applicant found it necessary to increase the wages of its employees to the amount of approximately \$20,000.00 per year; that general operating costs had advanced since the rate of fare was fixed on August 7, 1918. Applicant further stated that it had incurred a large expense by reason of damage claims and loss to equipment resulting from a collision on its line of railroad on September 6, 1920, when a number of persons were killed and a number of others injured.

In making its findings the Commission refused to consider the liability incurred on account of the wreck of September 6 as a factor upon which to base an increase in fares. It was found, however, that if the railroad was to be able to pay increased wages an advance in fares must be permitted. Applicant was permitted to increase fares in accordance with the prayer of its petition. The grant of authority to increase fares, however, was contingent upon the receiver increasing the wages of his employees approximately 21 per cent, the wage increase to be contemporaneous with the increase in fares; also upon the receiver inaugurating within a reasonable time a system of operating cars into and out of the city of Denver by means of his own employees and without any additional city fare being charged, and with the further provision that within twelve months from the date of the order Denver & Interurban cars should be operated over a new line of track to be built by the Denver & Interurban between Modern and Utah Junction, thence over the line of the Chicago, Burlington & Quincy Railroad to West Thirty-sixth Avenue, Denver, thence to the tracks of the Denver Tramway Company to a point north of the Twenty-third Street Viaduct, thus to eliminate the present circuitous route through Globeville.

Decision No. 393.

November 30, 1920.

APPLICATION NO. 117. APPLICATION OF COLORADO & WYOMING RY. CO. FOR PERMISSION TO DISCONTINUE TERCIO AS AN AGENCY STATION.

Request for permission to discontinue agency at Tercio based upon the reduced importance of this station as a result of the ces-

sation of operation, several years previous, of the coal mines and coke ovens at Tercio. It was shown that during a period of twenty months outbound freight averaged only 478 tons per month and inbound freight only 52 tons per month; that freight handled at this point was largely mine props and railway ties with some movement of livestock during the livestock season. Application granted; effective December 1, 1920, with the provision that a caretaker be installed at Tercio station.

SECTION II. RATE INCREASES

RATE INCREASES

For the first time since state regulation has been in effect in Colorado, rate increases by municipally owned public utilities practically equaled in number the rate advances made by privately owned utilities. During the biennial period fifty-nine public utilities, both municipal and private, filed schedules containing rate increases.

Some were filed after formal hearings and some upon the statutory thirty days as provided in Section 16 of the Act.

Rate advances were made by twenty municipal water and nine municipal electric utilities, a total of twenty-nine. Advances by privately owned utilities included five water, fifteen electric, six gas and four telephone utilities, a total of thirty.

Advances in rates by municipal utilities were due almost wholly to the high cost of operations which came about during and immediately after the war. The fact that, relatively at least, so many municipally owned utilities found it necessary to increase their rates is illustrative of the public utility rate situation during the last four years, particularly when it is borne in mind that in many cases the cost of operating these utilities had been met in by tax levy. In other words, even though some of these utilities were not dependent solely upon their operating revenues to meet operating expenses, in the face of abnormal advances in operating costs they were nevertheless compelled to depart from rate schedules which in many instances had existed for a long time.

As a rule the municipally owned utilities made few rate changes in 1917 and 1918 when so many of the privately owned utilities were applying for relief on account of abnormal conditions brought about by the war. When the high prices continued during 1919 and 1920, however, the municipal utilities found it imperative to adjust their earnings to meet increased expenses.

SECTION III. CROSSINGS

CROSSINGS

Section 29 of the Public Utilities Act as amended gives the Public Utilities Commission jurisdiction over the establishment and construction of what may be termed public utility crossings. This includes highways over railroad tracks at grade, above or below grade; railroad and street railway tracks over public highways, and the tracks or other facilities of one public utility over the tracks or other facilities of any other public utility.

The Commission is also authorized to "determine, order and prescribe the terms and conditions of installation and operation, maintenance and protection of such crossings * * *" and to determine the proportion in which the expense of crossing construction shall be divided "between the railroad or street railway corporation affected or between the corporation or corporations and the state, county, municipality, or such authority in interest."

Acting under authority conferred upon it the Commission issued its General Order No. 29, which has been in effect since July 24, 1917. This order provides that no crossing construction shall be undertaken until application therefor has been made to the Commission and an order issued by the Commission authorizing such construction.

Highways Over Railroad Tracks

During the two-year period for which this report is made public highway crossings over railroad tracks were authorized by order of the Commission at the following points:

Over the tracks of the Chicago, Burlington & Quincy Railroad between range lines 53 and 54, T. 2 N., Washington County.

Over the tracks of the Chicago, Burlington & Quincy Railroad on the section line between Sections 20 and 21, T. 1 N., R. 65 W., Weld County.

Over the tracks of the Chicago, Burlington & Quincy Railroad at a point 2 miles east of Wray, on the half section line in the north-east one-quarter of Section 4, T. T. 1, R. 43 W., in Yuma County.

Over the tracks of the Chicago, Burlington & Quincy Railroad between Sections 16 and 17, T. 7 N., R. 53 W., 3.37 miles west of Willard station in Logan County.

Over the tracks of the Chicago, Burlington & Quincy Railroad between Sections 9 and 10, T. 7 N., R. 53 W., one-half mile east of Brownard station in Logan County.

Over the tracks of the Chicago, Burlington & Quincy Railroad between Sections 24 and 19 on the county line between Washington and Yuma Counties, 3.5 miles west of Yuma.

Over the tracks of the Union Pacific Railroad on the line between Sections 2 and 3, T. 11 N., R. 45 W., at a point one-half mile south of Adrian, Sedgwick County.

Over the tracks of the Union Pacific Railroad on the line between Section 3, T. 6 N., R. 63 W., and Section 34, T. 7 N., R. 63 W., at a point west of Cornish, Weld County. (Relocation of a crossing previously maintained at a point 75 feet west.)

Over the tracks of the Denver & Intermountain Railroad along the east section line of Section 2, T. 4 S., R. 69 W., Jefferson County, at Wymans station.

Over the tracks of the Chicago, Burlington & Quincy Railroad at Washington Street in the town of Otis.

Over the tracks of the Chicago, Burlington & Quincy Railroad on the section line one mile west of New Hyde, Washington County.

Over the intersection of the extension of Chepita Avenue with the Denver & Rio Grande and Colorado Midland Railroad tracks near Aspen. (Relocation of a public highway crossing previously maintained 100 feet north.)

TRACKS OVER PUBLIC HIGHWAYS

By order of the Commission railroad tracks were permitted to be built across public highways at the following points:

Construction by the Industrial Sugar Company of two tracks at grade across primary highway No. 49, north of the town of Fort Lupton, at or near the southeast corner of the northwest quarter of the southeast quarter of Section 31, T. 2 N., R. 66 W., with the provision that the company maintain the highway across and between the tracks.

Construction by the Great Western Railway Company of a railway track across secondary highway No. 14 S, near Johnstown, Weld County, with the provision that the company maintain the highway across and between its tracks.

Construction by the Great Western Railway Company of a temporary track across secondary highway No. 14 S, near Johnstown, Weld County, with the provision that upon completion of a sugar factory then in course of construction at Johnstown, the railroad company remove the temporary crossing.

SECTION IV. CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Electric Light and Power Utilities, Telephone
Utilities, Water Utilities, Motor Carriers

*CERTIFICATES OF PUBLIC CONVENIENCE
AND NECESSITY*

Section 35 of the Public Utilities Act provides that no public utility shall begin the construction of a new facility, plant or system without first having obtained from the Commission a certificate that the present or future public convenience and necessity require, or will require, such construction; also that no public utility shall henceforth exercise any right or privilege under any franchise, permit, ordinance, vote or other authority, hereafter granted, or under any franchise, permit, ordinance, vote or other authority heretofore granted but not heretofore actually exercised, or the exercise of which has been suspended for more than one year, without first having obtained from the Commission a certificate of public convenience and necessity.

In conformity with Section 35, certificates of public convenience and necessity were issued to the following:

Electric Light and Power Utilities

City of Lamar. For the construction of an electric light and power system in the city of Lamar. April 12, 1919.

The Lincoln Light and Power Company. For the construction of an electric light and power system at Hugo. July 30, 1919. (Certificate not exercised and later canceled.)

The Western Colorado Power Company. For the exercise of franchise right granted by the town of Ouray for the operation of an electric light and power system at Ouray. September 25, 1919.

The Craig Service Company. For the operation of an electric light and power system at Craig. January 14, 1920.

The Western Colorado Power Company. For the exercise of franchise rights granted by the town of Montrose for the operation of an electric light and power system at Montrose. January 14, 1920.

The Town of Hugo. For the construction of an electric light and power system at Hugo. May 7, 1920. (The Lincoln Light and Power Company, which on July 30, 1919, obtained a certificate for an electric system at Hugo, in this proceeding supported the application of the town of Hugo, agreeing that the certificate previously issued to it be canceled.)

Theo. H. Wobermin. For the construction of an electric light and power system at Deertrail. June 26, 1920.

Telephone Utilities

The Paoli Telephone Company. For the construction of a telephone system in the town of Paoli and adjoining territory. September 5, 1919.

The Redvale and Cedar Telephone Company. For the construction of a telephone line from Redvale, in Montrose County, to Cedar, in San Miguel County. March 27, 1920.

The Yuma-Joes Telephone Company. For the construction of a telephone line from Joes to Yuma, both points in Yuma County. November 10, 1920.

Water Utilities

The town of Keota. For the construction of water works system in the town of Keota. August 20, 1919.

The town of Grover. For the construction of water works system in the town of Grover. August 20, 1919.

The town of Vona. For the construction of a water works system in the town of Vona. April 7, 1920.

The town of Seibert. For the construction of water works system in the town of Seibert. April 7, 1920.

The town of Eads. For the construction of water works system in the town of Eads. April 9, 1920.

The town of Pierce. For the construction of water works system in the town of Pierce. April 9, 1920.

Town of Williamsburg. For the construction of a pipe line to connect with the water system of the Coal Creek Water and Light Company to supply water to the town and residents of Williamsburg, Fremont County. September 18, 1920.

Town of Flagler. For the construction of water works system in the town of Flagler. September 24, 1920.

CERTIFICATES TO MOTOR CARRIERS

Section 2 (e) of the Public Utilities Act as amended, among other things, defines as a common carrier every corporation or person affording a means of transportation by automobile or other facility, similar to that ordinarily afforded by railroads or street railways, and in competition therewith, by indiscriminately accepting, discharging and laying down either passengers, freight or express between fixed points or over established routes.

Section 3 defines a public utility and includes a common carrier within such definition.

Section 35 provides that before a public utility may be established a certificate of public convenience and necessity must be obtained from the Public Utilities Commission.

Under these provisions of the Act automobile lines operating as common carriers are required to obtain certificates of public convenience and necessity from the Commission.

Certificates were issued to the following automobile carriers:

Frank Titter. Passenger carrying automobile line between Greeley, Eaton and Ault. June 18, 1919.

The Green Transfer Company. Motor truck line between Boulder, Louisville, Lafayette, Broomfield, Denver and intermediate towns and places. August 28, 1919.

J. H. Franklin and M. C. Coffey. Motor truck line between Denver, Frederick, Firestone and Fort Lupton, issued October 11, 1919. (Certificate canceled November 19, 1920.)

Denver and Northern Transportation Company. Motor truck line between Denver, Greeley and Eaton. October 11, 1919.

Chas. E. Barkley and Harry E. F. Hoffman, operating as the Denver-Greeley Motor Express. Motor truck line between Denver and Greeley, October 11, 1919.

The Liberty Transportation and Express Company. Motor truck line between Denver and Greeley. October 11, 1919.

David W. Paine. Motor truck line between Denver and Elizabeth. October 14, 1919.

Edward C. Mason and John H. Klein, operating as The Overland Motor Express Company. Motor truck line between Denver, Boulder and intermediate points. June 17, 1920.

R. Herle Ayres. Passenger, freight and express carrying line between Sterling and Holyoke and Holyoke and Julesburg. April 13, 1920.

M. F. Thomas. Passenger, freight and express carrying line between Denver and Morrison.

SECTION V. HOME RULE



HOME RULE

Contrary to expectations, the rulings of the Supreme Court in the so-called home rule case in January and July, 1919, have not reduced the volume of work which the Commission has been called upon to perform. This decision, in the case of the City and County of Denver v. Public Utilities Commission and Mountain States Telephone and Telegraph Company, held that regulatory authority over public utilities in cities operating under charters adopted in conformity with Article XX of the state constitution and the home rule amendment thereto, is vested in the city and not in the State Commission.

State regulation of public utilities being relatively new in Colorado, there naturally has been an increase from year to year in the business coming before the Commission and such increase may be expected to continue as the general public becomes more and more familiar with the purpose of the law and the remedies it offers. Relieved of all participation in public utility affairs in home rule cities, the Commission with its somewhat limited force would still have been unequal to the demands made upon it by the rest of the state. But while the Commission has been held to have no jurisdiction in home rule cities it has not been permitted to devote its energies to the remainder of the state to the exclusion of the home rule cities, as these cities, with one or two exceptions, while relinquishing nothing in the way of jurisdictions, have not hesitated to call upon the Commission for assistance in the handling of public utility problems.

Denver, the first of the home rule cities, has availed itself of the records of this department in connection with its efforts to prescribe a new schedule of telephone rates. While the Commission's findings in the Denver Tramway fare case were not accepted by the city, the valuation of the property made in that case has figured prominently throughout the lengthy controversy in which the city of Denver and the Tramway Company have engaged almost uninterruptedly since the determination of the home rule case. On several occasions, at the request of the municipal authorities, the Commission's accountants have reported upon the books of the Pueblo Gas & Fuel Company for the city of Pueblo. At their request the Commission has worked in harmony with the municipal authorities of Colorado Springs in the determination of gas rates and street railway fares and service. Both engineering and accounting reports upon the operations of the Federal Gas Company were made for the assistance of the city and the company in agreeing upon a new schedule of gas rates at Boulder, another of the home rule cities.

The Commission has been glad to render these services whenever possible, especially when it has been able to do so without seriously impeding the work of handling public utility matters

outside of the home rule cities. However, aside from the knowledge of having some share in advancing the public good, there is little satisfaction in helping to solve utility problems in home rule municipalities, for no matter how thorough the work may be, how scientifically correct it may be, or how long a time has been required in its performance, under the law as it now stands, the city authorities may do with the Commission's recommendations or findings as best suits their fancy.

Whether the regulation of public utility rates and service can be successfully conducted through municipal agencies, or whether it is even practicable, probably must be left for determination by the results of such experiments. Some of the results are already apparent. Despite their power to regulate, the home rule cities have not been able to keep down rates—and it will be recalled that state regulation was assailed and the right of home rule cities to regulate public utilities insisted upon only when the State Commission found it necessary to permit rate advances that affected certain of the home rule cities. Since home rule cities obtained clear title to regulate the results in Denver have included changes from a 7-cent fare to a 6-cent fare to a 5-cent fare to a 6-cent fare, two street car strikes, rioting, bloodshed, loss of life, damage to property, and martial law, and at the date of this report the probability of a receivership for the street railway company, with possible subsequent increases in fares. The city's attempt to re-establish telephone rates as of 1914 led to litigation and the finding by the federal court that such rates were confiscatory. In Pueblo the gas company offered to surrender its franchise to the city and quit, asserting that continued operation under existing rates meant continued financial loss. The city and the company are now involved in litigation in the federal court.

SECTION VI. VALUATION FOR RATE MAKING

Assistance Rendered by Commission

VALUATIONS FOR RATE MAKING

During the biennial period the Commission has made valuations of the property of two public utilities, partial valuations of a third and tentative valuations of two others.

The properties of The Casper Schumm Electric Light and Power Company, which serves the towns of Eagle and Gypsum, and The Glenwood Light and Water Company, which operates an electric light and power system at Glenwood Springs, were appraised by the Commission to determine the reasonableness of rate increases which the company had filed and which had been protested by users of the service affected.

The partial valuation was of the property of The Trinidad Electric Transmission Railway and Gas Company and was undertaken as the result of protests filed by consumers against a proposed increase in power rates by the company. It was unnecessary to complete the valuation because of an agreement entered into by the company and the protestants whereby the rate matters in controversy were adjusted.

Tentative valuations were made of the properties of The Otero Gas Company and of The Canon Gas Company. The earning power of these utilities was such that it was obvious that rates could not be established to produce a fair return upon the investment, and it was, therefore not necessary to make detailed valuations.

At the beginning of the biennial period, in December, 1918, and January, 1919, The Colorado Springs and Interurban Railway Company began the filing of an inventory and appraisal of its street railway system in Colorado Springs and adjoining territory, in support of its application for an increase in fares. However, this application was withdrawn and the appraisal was not completed.

The Commission's engineering staff is now engaged in checking the inventory of the property of The Colorado Power Company, submitted upon order of the Commission following the filing by the Company of schedules providing for increases in its power rates, and the lodging of protests against such increases. Next to the appraisal of the properties of The Mountain States Telephone & Telegraph Company in Colorado and The Denver Tramway Company, this is the most extensive valuation work yet undertaken by the Commission. The rates directly involved apply to the central system of the company, extending from Shoshone on the west, through Leadville and Denver, and the Boulder and Clear Creek Mining districts, but the appraisal covers the entire property of the company in Colorado. The Company claims a valuation, based largely upon original costs, of \$9,819,233.00, and a valuation of \$18,641,971.00 upon a basis of reproduction new as of January 1, 1920.

The Commission's engineering and accounting force is wholly inadequate in size and equipment to undertake a task of this proportion without doing so at the expense not only of the routine work which is constantly demanding the attention of the department, but also of all other formal matters in which the regulation of electric utilities is involved. These forces consist of an electrical engineer and one assistant and a statistician or accountant and one assistant. Under existing conditions the routine work alone is sufficient to require the entire time of the two departments.

The Western Colorado Power Company, one of the largest utilities in the state, has had pending for a number of months an application for a valuation of its property for the purpose of establishing fair and equitable rates. This work, however, cannot even be undertaken until disposition has been made of cases demanding prior attention.

ASSISTANCE RENDERED BY COMMISSION

The Commission's statistical and accounting department gave personal assistance to 164 public utilities during 1919 and 1920. Seventy-four of these were municipal utilities. The classes of utilities whose books were examined or checked, or which were assisted in keeping their accounts in accordance with the uniform system of accounts for all public utilities prescribed by the Commission, were as follows:

	1920	1919	Total
Telephone	18	25	43
Water	16	58	74
Gas	5	3	8
Electric	7	31	38
Electric railways	1	...	1
	<hr/> 47	<hr/> 117	<hr/> 164

Fewer utilities were visited in 1920 than in 1919 because of the improvement which many had made in keeping their accounts, and also because the work of the department had so increased that it was found impossible to give the same amount of time to this work.

Such assistance by the statistical and accounting department was of particular value to municipal utilities, many of which had been keeping their accounts in so careless and unbusiness-like manner as to render it impossible to tell what it was costing them to give service. Bringing the smaller municipal utilities into line so that the public, which owns these plants, will be able to ascertain, with a reasonable degree of certainty, what their utility properties are costing them, is a slow and tedious task. However, each year, it is showing improvement and eventually should

be of great value to the towns that operate their own utilities. Of the 58 water utilities rendered assistance in 1919, fifty-two were municipal utilities. Five of the thirty-one electric utilities were municipally owned. In 1920, fourteen of the sixteen water utilities visited were municipally owned, while three of the seven electric utilities were municipal.

The number of utilities assisted by the statistical and accounting department does not include the utilities assisted by the engineering department. Municipal electric utilities have come to depend in very substantial measure upon the Commission's electrical engineering department for assistance in working out the problems that constantly confront the public utility. In several instances where new municipal electric utilities have been established, the municipal authorities have looked to the Commission for assistance which otherwise would have cost them a substantial amount in engineering fees.

Fulfilling these demands adds materially to the burden of the Commission's limited department, but the work is of such importance as to deserve all the attention that can be given to it. The extent of public good which thus can be accomplished warrants adequate appropriation for the proper development of the engineering and accounting departments, and this does not take into consideration the many other demands being made upon these two departments.

Many municipal water utilities not only have been assisted in keeping their accounts in a business-like manner, but have also received considerable assistance in establishing new rates or remodeling existing rate schedules so as to eliminate discrimination and to establish equality among consumers. This work, which has been one of the developments of the last two years, has fallen to the Commission's hydraulic engineer who has held many conferences with city councils and town boards of trustees to adjust rates and establish improved methods of service.

It should be borne in mind that, aside from its application to railroads, regulation of public utilities has scarcely advanced beyond the primary stages of development in Colorado. The error should not be committed in assuming that this instrumentality of state government cannot accomplish other and better results than those which have been already accomplished. If permitted to develop along only the most necessary lines, the value of public utility regulation would impress itself upon practically everyone, but this cannot be done until the public generally and the legislature in particular acquire a better understanding of the essentials of such regulation and the possibilities of public good to be found therein, and until the Commission is provided with sufficient funds to permit it adequately to carry out the purpose of the very efficient and workable public utility law which Colorado has on its statute books.

During the last year the Commission made plans for the establishment of state-wide inspection of electric, gas, water and telephone service, somewhat similar in practice to the work which its railroad department has been doing for the last four years. This would have served to bring the Commission directly to the users of public utility service in every part of the state, thereby affording a channel for complaints and consequent adjustments which under existing conditions do not find their way to the Commission. The very fact that an inspection of service might be made at any time without warning would have had the effect of causing public utilities to keep their service up to a standard not now maintained, and this alone would have been worth in dollars and cents many times the cost of conducting such inspections. The plan, however, could not be put into operation for want of possibly three additional employes whose combined salaries would be insignificant compared with the economies effected by enabling the patrons of public utilities to obtain better service at no additional outlay in rates.

This is only one instance of work that can and should be accomplished. Many others might be cited, among them being cases arising out of complaints, which have resulted in the adjustment of the matter immediately at issue, but which could be made the means of accomplishing far greater and more permanent results if the Commission's force were sufficient in size to permit these cases being followed up as they should be.

SECTION VII. APPROPRIATIONS AND
EXPENDITURES

APPROPRIATIONS AND EXPENDITURES

Appropriations for salaries and expenses of the Commission and disbursements therefrom for the biennial period were as follows:

DECEMBER 1, 1918, TO NOVEMBER 30, 1920.

	Appropriation	Disbursements
Three commissioners, \$4,000.00 per year each.....	\$24,000.00	\$23,951.35
One secretary, \$2,500.00 per year.....	5,000.00	4,999.96
Salaries of employees	47,700.00	46,534.43
Traveling expense	6,000.00	5,290.86
Incidental expense	7,000.00	6,874.32
	<u>\$89,700.00</u>	<u>\$87,650.92</u>

In the Public Utilities Commission Special Fund there was a balance as of December 1, 1918, of \$2,088.75. Receipts for the biennial period were \$3,449.64 and disbursements were \$5,160.08, leaving a balance of \$378.31 on December 1, 1920.

SECTION VIII. OPERATING RATIO

OPERATING RATIO

Annual reports of their operations have been made by electric, gas and water public utilities in Colorado since 1916 and by telephone utilities since 1917. These years, and more particularly 1918 and 1919, are included in what may be termed the war period, when the cost of many commodities essential to the operation of public utilities reached unprecedented high levels. The result was an almost general advance in public utility rates and charges, made necessary to produce revenue sufficient to assure the continued operation of the utilities.

The summary of operating revenues and expenses of electric, gas, water and telephone utilities, produced herewith, is of both interest and importance when considering the effects of the numerous rate advances of the last few years. It shows that while in nearly all cases gross revenues increased from year to year, the increases in gross revenues did not keep pace with increases in operating expenses. In other words, taking these classes of utilities as a whole, their business was less profitable upon the higher level of rates than it was before the rate increases became necessary.

Gas plants show the highest operating ratio—the relation which operating expenses bear to gross operating revenues. The operating ratio of the gas utilities reporting to the Commission for the year 1919 was 91.53 per cent. From 1916 to 1919 the increase in operating ratio for gas plants was 13.83 per cent; for privately owned or operated electric utilities it was 10.66 per cent; for municipally owned electric utilities, 15.52 per cent; for privately owned or operated water utilities, 31.86 per cent, and for municipally owned water utilities, 12.99 per cent. Figures for telephone utilities, for this purpose, are available for only two years. These show a relatively high ratio, but an increase of only 1.29 per cent from 1918 to 1919. An examination of the operating figures show that, generally speaking, the most marked advances were from 1917 to 1918.

As a result of the so-called home rule decision—holding that the State Commission has no authority over the local operations of public utilities in home rule cities—a number of utilities took advantage of the ruling and filed no reports for 1918 and 1919. This accounts for the reduction in revenues and expenses shown in the two years named, and, in some instances, for the reduction in the number of utilities reporting. The reduction in the number of gas utilities reporting is due also to the fact that small plants at Burlington, Castle Rock, Center and Saguache have ceased operations.

It will be noted that the marked increase in revenues and expenses in 1918 over 1917, as shown in the table of all utilities reporting, is due to the inclusion of figures for telephone companies in 1918.

The relation between operating expenses and operating revenues when expressed in terms of percentage as operating ratio should not be confused with the percentage, or rate of return on the capital invested in the utility. Operating revenues may considerably exceed operating expenses and yet the percentage of return on the investment be relatively low, while under a different set of conditions a comparatively small excess of operating revenues over operating expenses may yield a relatively high return on the investment. In the case of public utilities the findings of the operating ratio serves a valuable purpose by illustrating in a concise manner the effect of rate changes upon the financial condition of the utility. .

SUMMARY OF OPERATING REVENUES AND EXPENSES OF ELECTRIC, GAS, WATER AND TELEPHONE UTILITIES.

Year	Number Reporting	Gross Revenue	Operating Expense	Net Operating Revenue	Operating Ratio Pct.
Electric Utilities:					
Privately owned or operated—					
1916	57	\$ 6,532,311.77	\$ 3,712,688.30	\$ 2,819,623.47	56.84
1917	54	7,181,546.10	4,292,432.15	2,889,113.95	59.77
1918	56	5,289,093.09	3,450,483.69	1,838,609.40	65.24
1919	55	5,303,848.13	3,580,016.51	1,723,831.62	67.50
Municipal—					
1916	12	139,333.98	89,719.28	49,614.70	64.39
1917	15	166,036.28	118,196.41	47,839.87	71.19
1918	22	220,449.34	174,191.41	46,257.93	79.02
1919	23	263,797.96	213,440.60	50,357.36	80.91
Total all electric utilities—					
1916	69	6,671,645.75	3,802,407.58	2,869,238.17	56.99
1917	69	7,347,582.38	4,410,628.56	2,936,953.82	60.03
1918	78	5,509,542.43	3,624,675.10	1,884,867.33	65.79
1919	78	5,567,646.09	3,793,457.11	1,774,188.98	68.13
Gas Utilities:					
Privately owned or operated—					
1916	14	1,619,917.88	1,258,715.73	361,202.15	77.70
1917	12	1,833,047.27	1,527,189.64	305,857.63	83.31
1918	11	584,234.39	496,410.57	87,823.82	84.97
1919	7	430,964.26	394,479.88	36,484.38	91.53
Water Utilities:					
Privately owned or operated—					
1916	17	1,555,272.46	688,565.59	866,706.87	44.27
1917	17	1,655,708.25	737,812.67	917,895.58	44.57
1918	17	205,185.98	146,631.77	58,554.21	71.46
1919	19	184,856.10	140,729.52	44,126.58	76.13
Municipal—					
1916	110	1,155,664.93	421,916.05	733,748.88	36.51
1917	108	1,346,869.95	718,086.45	628,783.50	53.32
1918	123	1,202,357.89	625,300.07	577,057.82	52.01
1919	127	1,109,503.76	549,220.15	560,283.61	49.50
Total all water utilities—					
1916	127	2,710,937.39	1,110,481.64	1,600,455.75	40.96
1917	125	3,002,578.20	1,455,899.12	1,546,679.08	48.49
1918	140	1,407,543.87	771,931.84	635,612.03	54.84
1919	146	1,294,359.86	689,949.67	604,410.19	53.30
Telephone Utilities:					
Privately owned or operated—					
1918	43	10,855,128.01	8,588,607.70	2,266,520.31	79.12
1919	67	12,874,270.99	10,352,730.87	2,521,540.12	80.41
Total all utilities reporting—					
1916	210	11,002,501.02	6,171,604.95	4,830,896.07	56.09
1917	206	12,183,207.85	7,393,717.32	4,789,490.53	60.69
1918	272	18,356,448.70	13,481,625.21	4,874,823.49	73.44
1919	298	20,167,241.20	15,230,617.53	4,936,623.67	75.52

SECTION IX.

Summary of Operating Revenues and Expenses of
Electric, Gas, Water and Telephone Utilities

ELECTRIC UTILITIES—PRIVATELY OWNED.

OPERATING REVENUES AND EXPENSES, ELECTRIC UTILITIES, PRIVATELY OWNED, YEARS ENDED DECEMBER 31,
1918 AND 1919

	Population of Territory Supplied	1918			1919		
		Gross Revenue	Operating Expense	Gross Income	Gross Revenue	Operating Expense	Gross Income
Number of Utilities reporting for 1918							56
Number of Utilities reporting for 1919							55
Aguilar Light and Power Company	800	7,760.73	7,110.93	\$ 649.80	\$ 9,936.20	7,360.99	\$ 2,565.21
Akron Electric Light and Power Company	700	11,120.87	10,615.92	1,104.95	(a) 10,711.91	10,692.53	19.38
Arpahoe Electric Light and Power Company	12,000	54,804.88	44,190.03	10,614.85	66,078.99	50,712.18	15,366.81
Arkansas Valley Electric Company	3,500	23,165.93	18,386.86	4,779.07	25,603.34	18,768.48	6,834.86
Arkansas Valley Railway Light and Power Co.	108,900	1,062,477.39	601,347.89	461,129.50	1,093,787.21	679,493.29	414,293.92
Arvida Electric Company	2,000	15,168.06	13,125.88	2,042.18	16,322.59	13,655.28	2,667.31
Austin Electric Light and Woodworking Plant	200	286.00	64.00	222.00	Not in operation		
Brighton Ice, Light and Power Company	4,000	25,206.81	23,353.61	1,853.20	36,650.31	27,655.15	8,995.16
Broadmoor Electric Light System	800	7,227.41	3,802.86	3,424.55	7,226.54	4,199.37	3,027.17
Brush Light and Power Company	2,000	15,152.82	13,831.10	1,221.72	18,632.79	16,426.79	2,206.00
Buena Vista Electric Light and Power Co.	1,000	8,558.30	7,141.64	1,416.66	8,383.43	7,381.49	1,001.94
Carbondale Light and Power Company	500	3,223.25	2,998.88	224.37	3,500.10	3,058.54	441.56
Cardiff Light and Water Company	200	1,495.82	902.53	593.29	801.23	634.24	166.99
Colorado Power Company	13,000	1,273,211.89	682,691.29	590,520.60	1,095,105.30	688,106.40	406,998.90
Colorado Springs Light, Heat and Power Co.	1,000	440,226.84	274,668.42	165,558.42	475,280.29	275,859.44	199,420.85
Concejos Co-operative Mining and Milling Co.	1,000		No report		15,043.31	11,662.01	3,381.30
Crested Butte Light and Water Company	1,250	6,474.96	4,073.82	2,401.14	6,702.07	3,889.87	2,812.20
Custer Power and Water Company	300	2,684.45	2,515.21	169.24	2,892.55	2,958.94	66.39
Denver Gas and Electric Company	350		No report		No report		
Farmers Electric and Power Company	8,000	38,179.96	27,039.44	11,140.52	(b) 573.05	375.80	402.75*
Fort Lupton Light and Power Company	5,000	29,102.57	23,223.59	5,878.98	46,318.43	32,009.15	14,309.28
Garfield Mines Leasing Company	500	1,463.48	1,452.50	10.98	41,856.34	33,988.25	10,862.09
Gilpin County Light, Heat and Water Company	3,000	9,766.79	9,892.87	126.08*	121.92	113.00	8.92
Glenwood Light and Water Company	2,435	27,703.08	20,421.75	7,281.33	9,460.25	7,803.08	1,657.17
Grand Junction Electric, Gas and Mfg. Co.	9,000	79,968.14	57,566.93	22,401.21	37,779.38	30,672.13	7,107.25
Grand River Valley Railway Company	1,500	5,216.42	2,079.06	3,137.36	No report		
Hayden Light and Power Company	500	4,046.20	3,010.66	1,035.54	5,920.20	2,314.43	3,605.77
Hinsdale Mining and Development Company	300	2,797.94	2,578.33	219.61	4,031.75	3,439.09	582.55
Home Gas and Electric Company (Creeley)	11,000	94,524.90	78,154.58	16,360.32	2,149.97	2,439.00	299.12*
Hotchkiss Packing and Power Company	700	5,317.50	3,826.65	1,490.85	124,041.23	99,560.38	24,480.85
					5,523.39	4,587.47	836.52

*Indicates deficit.

(a) Report for period from Jan. 1 to Oct. 31, 1919.
(b) Report for period from Aug. 1 to Dec. 31, 1919.

OPERATING REVENUES AND EXPENSES, ELECTRIC UTILITIES, PRIVATELY OWNED, YEARS ENDED DECEMBER 31,
1918 AND 1919

*Indicates deficit.

(a) Report for period from Jan. 1 to Oct. 31, 1919.
(b) Report for period from Aug. 1 to Dec. 31, 1919.

ELECTRIC UTILITIES—MUNICIPAL

OPERATING REVENUES AND EXPENSES, ELECTRIC UTILITIES, MUNICIPAL YEARS ENDED DECEMBER 31, 1918 AND 1919

	Population of Territory Supplied	1918			1919		
		Gross Revenue	Operating Expense	Gross Income	Gross Revenue	Operating Expense	Gross Income
Burlington, Town of	1,200	\$ 7,108.87	\$ 6,529.21	\$ 809.66	\$ 11,552.36	\$ 7,306.30	\$ 4,256.06
Cheyenne Wells, Town of	700	3,671.53	5,254.78	1,853.25*	4,447.60	6,032.42	1,584.82*
Creede, Town of	800	2,747.47	2,003.07	744.40	No report	No report	
Ducona, Town of	20	161.30	502.01	340.71*	212.60	554.89	342.29*
Del Norte, Town of	1,200	6,398.74	5,077.33	1,321.41	7,491.53	5,917.93	1,573.60
Erie, Town of	800	1,896.33	1,291.38	604.95	2,511.75	3,887.18	1,375.43*
Firestone, Town of	250	257.35	369.66	112.31*	257.35	664.00	496.65*
Fort Morgan, City of	5,000	16,500.51	29,870.58	16,629.93	60,124.64	38,675.50	21,449.14
Fountain, Town of	500				(a) 223.31	1,036.46	813.15*
Frederick, Town of	500	1,612.87	1,431.91	180.96	1,351.01	1,594.31	243.30*
Gunnison, Town of	1,500	13,212.83	11,265.25	1,947.58	15,561.41	12,349.44	3,211.97
Haxtun, Town of	1,000	10,786.65	9,850.77	935.88	12,522.57	9,814.12	2,708.45
Holly, Town of	1,200 (d)	12,026.84	11,332.08	694.76	6,131.07	7,719.35	1,588.28*
Holyoke, Town of	1,200	7,097.04	5,960.58	1,136.46	11,775.95	8,903.26	2,872.39
Julesburg, Town of	1,400	22,130.99	24,320.00	2,189.01*	25,751.08	31,782.00	6,030.92*
Limon, Town of	1,143	11,408.09	7,919.69	3,488.40	13,062.35	9,136.49	3,925.86
Longmont, Town of	7,000	13,774.18	28,446.87	15,327.31	52,938.13	31,128.02	21,810.11
Lyons, Town of	600	1,159.93	528.33	631.60	1,317.50	712.45	605.05
New Castle, Town of	450	1,436.23	1,684.10	247.87*	(b) 111.02	135.12	24.40*
Otis, Town of					(c) 2,908.10	5,983.40	3,075.30*
Paonia, Town of	1,000	8,116.81	5,577.21	2,539.60	9,870.09	7,561.03	2,309.06
Peetz, Town of	350	(d) 2,287.54	2,078.89	208.65	(d) 2,873.55	3,949.96	1,076.41*
Walden, Town of	300	4,002.30	3,380.00	622.30	4,203.63	3,555.85	647.78
Yuma, Town of	1,600	12,654.94	9,477.71	3,177.23	16,589.66	15,040.82	1,548.84
Total		\$ 220,449.34	\$ 174,191.41	\$ 46,257.93	\$ 263,797.96	\$ 213,440.60	\$ 50,357.36

* Indicates deficit.

(a) Report for period Oct. 1 to Dec. 31, 1919.

(b) Report for period Jan. 1 to Jan. 31, 1919.

(c) Report for period May 1 to Dec. 31, 1919.

(d) Combined Electric and Water.

GAS UTILITIES

OPERATING REVENUES AND EXPENSES OF GAS UTILITIES, YEARS ENDED DECEMBER 31, 1918 AND 1919.

	Population of Territory Supplied	1918			1919		
		Gross Revenue	Operating Expense	Gross Income	Gross Revenue	Operating Expense	Gross Income
Burlington Gas and Electric.....	500	\$ 291.35	\$ 512.05	\$ 220.70*			
Canon Gas Company.....	5,000	12,991.77	11,063.06	1,928.71			
Castle Rock Light, Heat and Power Company.....	400	1,158.34	1,114.35	43.99			
Colorado Springs Light, Heat and Power Co.....	43,000	171,480.49	138,946.28	32,534.21			
Denver Gas and Electric Light Company.....			No report				
Federal Gas Company (Boulder).....	12,000	55,245.72	49,383.86	5,861.86	65,790.50	54,621.34	11,169.16
Grand Junction Electric, Gas and Mfg. Co.....	9,000	22,980.80	18,082.06	4,898.74		No report	
Greeley Gas and Fuel Company.....	8,179	63,188.87	51,964.27	11,204.60	74,130.20	61,606.72	12,523.48
Otero County Gas Company (La Junta).....	12,000	30,890.08	29,627.53	1,262.55	32,667.69	33,928.91	1,261.22*
Poudre Valley Gas Company (Fort Collins).....	11,000	32,002.85	26,875.29	5,127.56	44,018.89	32,630.21	11,388.68
Pueblo Gas and Fuel Company.....	51,000	172,665.00	146,999.62	25,665.38		No report	
Trinidad Electric Trans. Railway and Gas Co.....	20,000	21,359.12	21,842.20	483.08*		No report	
Total.....		\$ 584,234.39	\$ 494,410.57	\$ 87,823.82	\$ 430,964.26	\$ 394,479.88	\$ 36,484.38

*Indicates deficit.

WATER UTILITIES—PRIVATELY OWNED

OPERATING REVENUES AND EXPENSES OF WATER UTILITIES, PRIVATELY OWNED, YEARS ENDED DECEMBER 31, 1918 AND 1919.

	Population of Territory Supplied	1918			1919		
		Gross Revenue	Operating Expense	Gross Income	Gross Revenue	Operating Expense	Gross Income
Altman Water Company.....	500	\$ 48,946.64	\$ 34,962.48	\$ 13,984.16	\$ 32,862.28	\$ 30,374.90	\$ 2,427.38
Broadmoor Water System.....	800	4,648.54	2,623.40	2,023.14	4,938.86	2,869.13	2,369.73
Brookside Water Company.....	2,500	5,950.37	4,931.17	1,019.20	6,549.29	4,816.71	1,732.58
Buffalo Park Association.....	150	643.27	790.00	146.73*	766.00	790.00	24.00*
Cardiff Light and Water Company.....	200	2,963.27	2,091.35	871.92	1,214.40	726.02	488.38
Castle Creek Water Company (Aspen).....	1,600	16,081.56	15,798.09	283.47	12,529.76	14,071.18	1,541.42*
Coal Creek Water and Light Company.....	700	2,662.60	1,831.70	830.90	2,724.40	1,726.95	997.45
Commonwealth Land Company.....	200	1,038.85	1,504.96	466.11*	1,315.39	1,448.27	132.28*
Crested Butte Light and Water Company.....	1,250	4,602.80	3,097.89	1,504.91	4,894.98	3,070.22	1,824.76
Cripple Creek Water Company.....	2,500	23,096.19	22,661.31	434.88	22,858.31	19,726.17	3,132.14
Crystal Springs Pipe Line and Water Company.....	2,000	5,153.63	1,777.87	3,375.76	5,495.24	1,386.72	4,108.52
Custer Water and Power Company.....	300	1,695.25	1,395.61	299.64	1,461.05	1,311.98	149.07
Denver City Water System.....	1,000	4,618.00	No report	1,257.65	4,600.00	No report	1,395.47
Estes Park Water Company.....	1,000	4,618.00	3,360.35	1,257.65	651.05	3,204.53	459.37*
Home Water Supply Company (Whitewater).....	1,000	57,379.59	38,967.92	18,411.67	(a) 51,311.19	36,376.08	14,935.11
Leadville Water Company.....	5,500	12,504.79	No report	6,102.19	12,883.23	No report	480.47
Meser Water Works Company.....	100	1,099.10	866.13	232.97	1,474.27	853.75	2,906.61
Northfield Land and Water Company.....	1,500	12,504.79	6,402.60	6,102.19	12,883.23	9,976.62	620.52
Olney Springs Pure Water Company.....	500	1,099.10	866.13	232.97	1,474.27	853.75	2,906.61
Plateau City Water Company.....	6,000	12,101.53	No report	8,534.59	12,181.90	No report	8,715.46
Pure Springs Water Supply Company (Ordway).....	6,000	12,101.53	3,566.94	8,534.59	12,181.90	3,466.44	8,715.46
Total.....		\$ 205,185.98	\$ 146,631.77	\$ 58,554.21	\$ 184,856.10	\$ 140,729.52	\$ 44,126.58

*Indicates deficit.

(a) Report for period from Apr. 1 to Dec. 31, 1919.

WATER UTILITIES—MUNICIPAL

OPERATING REVENUES AND EXPENSES OF WATER UTILITIES, MUNICIPAL YEARS ENDED DECEMBER 31, 1918 AND 1919.

	Population of Territory Supplied	1918			1919		
		Gross Revenue	Operating Expense	Gross Income	Gross Revenue	Operating Expense	Gross Income
Agular, Town of	1,300		No report		\$ 1,845.92	\$ 1,427.04	\$ 418.88
Akron, Town of	1,500	\$ 3,229.59	\$ 2,392.43	\$ 837.16	8,451.00	7,719.00	732.00
Alamosa, City of	4,000	3,770.30	4,312.85	541.55*	3,401.72	5,162.07	1,760.35*
Animas, Town of	300	548.25	201.11	347.14	571.25	174.00	397.25
Antonito, Town of	1,000	2,583.10	661.80	1,921.30	3,277.84	121.55	3,156.29
Arvada, Town of	12,000	3,500.00	2,192.08	1,307.92	3,400.00	2,956.97	443.03
Ault, Town of	1,000	2,711.17	2,870.99	159.82*	2,883.36	3,102.17	218.81*
Basalt, Town of	130	1,048.70	426.00	622.70	679.00	291.16	387.84
Bayfield, Town of	350	1,534.86	1,057.77	477.09	2,114.21	1,397.19	717.02
Berthoud, Town of	1,250	6,245.00	2,304.93	3,940.07	6,774.39	2,311.36	4,463.03
Black Hawk, Town of	250	1,299.55	195.25	1,104.30	1,494.49	336.97	1,157.52
Boulder, City of	.....	58,280.30	23,661.12	34,619.18	No report		
Breckenridge, Town of	1,000	2,862.50	1,763.60	1,098.90	3,311.38	4,249.75	938.37*
Brighton, Town of	2,700	8,766.17	5,086.45	3,679.72	10,698.89	6,903.33	3,795.56
Brush, Town of	2,200	7,644.38	11,441.11	3,796.73*	11,910.86	12,679.48	768.62*
Buena Vista, Town of	1,100	2,548.56	814.80	1,733.76	2,492.80	1,466.30	1,026.50
Burlington, Town of	1,200	1,889.13	2,079.46	190.33*	2,496.39	2,105.19	391.20
Canon City, City of	.....	34,640.61	9,404.26	25,236.35	35,359.23	14,066.92	21,292.31
Carbondale, Town of	300	2,025.00	1,300.00	725.00	2,508.00	1,300.00	1,208.00
Castle Rock, Town of	500	2,849.35	959.46	1,889.89	2,950.25	383.09	2,567.16
Cedaredge, Town of	550	1,783.15	2,717.90	934.75*	2,090.56	2,916.18	825.62*
Central City, Town of	700	3,670.28	737.15	2,933.13	3,324.22	2,658.42	2,665.80
Cheyenne Wells, Town of	700	1,169.50	2,762.38	1,592.88*	2,238.05	2,223.50	14.55
Collbran, Town of	300		No report		950.72	888.06	62.66
Colorado Springs, City of	33,500	158,997.33	42,610.40	116,386.93	160,765.99	40,759.99	120,006.00
Cortez, Town of	750	1,733.81	867.03	866.78	2,153.54	1,485.23	668.31
Craig, Town of	1,300	4,684.07	3,374.02	1,310.05	4,639.39	3,180.39	1,459.04
Dacona, Town of	35	189.40	231.48	42.08*	246.25	252.85	6.60*
De Beque, Town of	400	1,530.69	1,482.89	17.80	2,050.31	1,756.76	293.55
Del Norte, Town of	1,200	2,123.45	1,239.82	883.63	2,147.68	2,006.62	141.06

* Indicates deficit.

WATER UTILITIES—MUNICIPAL—Continued

OPERATING REVENUES AND EXPENSES OF WATER UTILITIES, MUNICIPAL, YEARS ENDED DECEMBER 31, 1918 AND 1919.

	Population of Territory Supplied	1918		1919	
		Gross Revenue	Operating Expense	Gross Revenue	Operating Expense
Delta, City of	4,500	15,330.99	No report	16,108.70	No report
Denver, City and County of	500	2,350.00	687.75	2,350.00	703.76
Dolores	4,986	21,901.95	9,800.16	22,046.81	10,312.70
Durango, City of	500	2,597.10	1,012.05	3,227.19	1,063.69
Eagle, Town of	1,500	5,974.53	5,570.53	5,955.13	5,903.52
Eaton, Town of	95	640.45	202.05	683.45	228.30
Empire, Town of	800	2,277.60	1,348.10	2,045.51	1,494.19
Brie, Town of	600	1,197.39	1,100.29	1,274.93	949.50
Evans, Town of	200	520.31	654.00	1,488.95	1,400.00
Fairplay	250	383.65	381.32	383.65	381.32
Pirestone, Town of	3,500	2,040.46	2,973.71	1,590.74	3,925.19
Florence, City of	1,500	3,311.28	No report	4,500.00	No report
Port Collins, City of	4,500	21,258.67	2,388.75	24,055.00	7,150.00
Port Lupton, Town of	500	4,106.11	742.84	4,186.33	901.61
Port Morgan, City of	500	1,671.18	571.50	1,306.47	527.39
Fountain, Town of	1,300	8,853.99	1,976.45	10,051.16	11,206.01
Frederick, Town of	900	2,209.25	2,094.87	2,424.77	1,704.00
Fruita, Town of	2,400	12,152.42	6,493.24	15,747.44	7,965.31
Georgetown, Town of	3,000	11,939.71	2,789.94	12,568.82	3,315.86
Glenwood Springs, Town of	250	1,980.20	No report	2,077.38	No report
Golden, City of	250	71,179.07	641.89	9,331.35	9,331.35
Grand Junction, City of	15,000	3,755.67	19,655.09	75,582.57	10,391.47
Greely, City of	1,500	1,694.50	5,848.73	5,380.05	5,380.05
Gunnison, Town of	250	1,694.50	264.88	1,880.50	218.48
Gypsum, Town of	150	947.08	901.32	630.62	994.12
Hartman, Town of	1,200	4,146.07	3,775.94	6,261.91	4,240.72
Haxton, Town of	500	1,407.81	1,258.09	2,036.27	1,446.68
Hayden, Town of	1,200	12,026.84	11,332.08	5,932.98	5,212.90
Holly, Town of	1,200	5,494.92	6,108.66	6,369.44	7,778.45
Holyoke, Town of	600	5,200.00	500.00	5,203.90	800.00
Hotchkiss, Town of	125	291.35	445.85	376.25	564.60
Hot Sulphur Springs, Town of	300	1,280.00	1,182.80	1,700.00	1,560.00
Hudson, Town of	1,200	2,925.00	4,587.00	2,323.00	5,684.30
Hugo, Town of					

(a) Report for period from Oct. 1 to Dec. 31, 1918.
(b) Combined water and electric.

WATER UTILITIES—MUNICIPAL—Continued

OPERATING REVENUES AND EXPENSES OF WATER UTILITIES, MUNICIPAL, YEARS ENDED DECEMBER 31, 1918 AND 1919.	Population of Territory Supplied	1918			1919		
		Gross Revenue	Operating Expense	Gross Income	Gross Revenue	Operating Expense	Gross Income
Bluff, Town of	400	(a) 78.75	39.00	39.75	111.60	799.26	357.66*
Idaho Springs, City of	1,200	10,824.35	2,913.99	7,910.36	11,976.56	2,085.15	8,991.41
Johnstown, Town of	400	2,711.90	942.63	1,769.27	3,200.00	1,177.30	2,022.70
Julesburg, Town of	1,400	3,000.00	2,000.00	1,000.00	6,888.12	5,750.00	1,138.12
Lafayette, Town of	1,800	5,963.41	7,643.94	1,680.53*	7,066.45	7,715.24	648.79*
La Junta, City of	7,000	28,337.65	11,246.17	17,091.48	35,025.02	41,388.92	23,646.10
Lake City, Town of	300	327.62	52.75	274.87	315.33	509.88	194.55*
Lamar, City of	4,000	10,493.13	6,794.31	3,698.82	12,811.91	5,062.38	7,749.56
Las Animas, City of	2,500	4,851.25	5,039.68	188.43*	6,720.76	5,310.17	1,380.59
La Veta, Town of	800	2,465.12	390.77	2,074.35	3,160.00	582.45	2,577.55
Limón, Town of	1,100	2,406.08	4,193.62	1,787.54*	5,649.92	5,186.63	463.29
Littleton, Town of	1,700	4,130.90	3,328.13	802.77	4,976.00	3,216.58	1,759.42
Longmont, City of	6,000	54,686.30	17,083.04	37,603.26	53,425.14	23,604.88	29,820.26
Louisville, Town of	1,800	1,150.05	2,512.15	1,637.90	5,131.65	1,496.14	3,635.54
Loveland, City of	8,000	29,556.62	30,923.77	1,367.15*	33,846.50	20,857.22	12,989.28
Lyons, Town of	600	1,322.08	69.93	1,252.15	2,046.66	70.04	1,976.62
Manitou, Town of	700	2,021.30	1,238.20	783.10	2,011.55	1,238.20	773.35
Manitou, Town of	1,500—6,000	10,586.57	2,038.29	8,548.28	11,451.66	1,590.71	9,860.95
Manzanola, Town of	1,200	3,775.40	2,733.39	1,042.01	4,526.16	4,827.12	300.96*
Meeker, Town of	1,000	7,270.91	4,321.87	2,949.04	(b) 3,934.62	2,426.32	1,508.30
Milliken, Town of	1,130.60	4,127.02	3.58	3.58	1,151.95	2,173.20	1,021.25*
Minturn, Town of	300	1,803.21	1,111.49	691.75	2,117.90	1,833.11	731.79
Montrose, City of	4,000	24,663.67	14,487.91	7,175.73	24,226.46	11,888.13	12,538.33
Monument, Town of	150	163.00	371.94	208.94*	135.00	272.99	137.99*
New Castle, Town of	550	2,135.72	1,712.91	422.78	1,951.55	1,484.30	467.25
Norwood, Town of	500	803.65	1,058.45	254.80*	No report	No report	No report
Oak Creek, Town of	600	1,757.35	1,624.08	133.47	2,972.00	1,185.65	1,786.35
Olathe, Town of	1,500	6,029.29	3,009.30	3,019.99	7,691.50	3,677.89	4,016.61
Ophir, Town of	29	No report	No report	No report	(c) 30.00	30.00	30.00
Orchard City, Town of	300	No report	No report	No report	3,922.51	1,022.09	2,900.45
Ordway, Town of	1,500	12,172.91	8,147.82	4,025.09	14,095.14	9,029.64	5,065.60
Otis, Town of	600	1,114.29	1,178.26	63.97*	4,005.50	4,097.27	91.77*
Ouray, City of	1,200	9,790.26	7,598.51	2,191.75	10,026.91	7,500.05	2,526.86
Pagosa Springs, Town of	1,000	No report	No report	No report	2,498.20	3,788.06	1,289.86*
Palslade, Town of	1,000	5,606.35	1,057.44	4,548.91	5,676.71	1,230.00	4,446.71
Palmer Lake, Town of	175—1,200	1,070.22	73.65	996.57	1,429.21	221.32	1,207.89

*Indicates deficit.

(b) Report for period from Jan. 1 to March 31, 1919.

WATER UTILITIES—MUNICIPAL—Continued

OPERATING REVENUES AND EXPENSES OF WATER UTILITIES, MUNICIPAL. YEARS ENDED DECEMBER 31, 1918 AND 1919.		1918			1919		
Population of Territory Supplied		Gross Revenue	Operating Expense	Income	Gross Revenue	Operating Expense	Gross Income
Paonia, Town of	1,000	7,116.19	341.20	6,774.99	7,374.22	595.42	6,778.80
Peetz, Town of	350	(b) 2,287.54	2,078.89	208.65	(b) 2,873.55	3,949.96	1,076.41*
Platteville, Town of	500	1,350.00	330.00	1,020.00	1,512.13	1,396.77	115.36
Pueblo, City of, District No. 1	.....	127,813.52	109,137.87	18,675.65	.....	No report	.....
Pueblo, City of, District No. 2	.....	.....	No report	.....	.....	No report	.....
Red Cliff, Town of	356	1,874.10	1,478.58	395.52	2,630.85	1,753.40	877.45
Rico, Town of	500	930.65	497.72	432.93	732.86	1,096.00	363.14*
Ridgway, Town of	400	3,248.05	1,400.37	1,847.68	3,145.40	1,746.67	1,398.73
Rifle, Town of	1,000	7,398.60	1,875.51	5,523.09	8,204.10	1,796.91	6,407.19
Rockvale, Town of	1,500	5,897.40	2,069.59	3,927.81	5,616.42	4,397.58	1,118.84
Rocky Ford, Town of	6,000	16,460.15	7,732.05	8,728.10	16,955.31	10,117.89	6,837.42
Salida, City of	5,000	21,844.75	7,592.75	14,252.00	23,405.66	7,103.82	17,301.84
Silver Cliff, Town of	250	.....	No report	.....	2,143.81	1,772.86	370.95
Silver Plume, Town of	500	1,749.45	848.22	901.23	1,358.65	814.93	543.72
Silverton, Town of	1,500	5,000.71	2,442.53	2,558.18	6,466.36	2,549.41	3,916.95
Simla, Town of	400	1,100.85	1,756.22	655.37*	1,091.05	730.48	360.57
South Canon, Town of	1,000	1,630.32	1,432.90	197.42	2,321.12	1,718.64	602.48
Steamboat Springs, Town of	2,000	4,595.99	1,744.33	2,851.66	5,409.11	5,282.53	126.58
Sterling, City of	10,000	25,776.26	21,311.30	4,464.96	31,694.17	24,570.11	7,124.06
Sugar City, Town of	1,100	2,385.00	1,811.30	573.70	2,248.60	2,145.40	103.20
Swink, Town of	500	880.00	1,255.00	375.00*	(d) 1,226.77	1,097.32	129.45
Telluride, Town of	1,800	9,258.08	7,276.02	1,982.06	9,439.65	2,097.04	7,342.61
Trinidad, City of	30,000	80,630.63	36,203.51	44,427.12	83,622.14	36,080.09	47,542.05
Victor, Town of	3,500	16,521.07	4,583.69	11,937.38	10,762.14	4,678.50	6,083.64
Walden, Town of	300	720.40	906.00	185.60*	955.65	1,152.00	196.35*
Walsenburg, Town of	6,000	19,312.11	3,019.44	16,292.67	20,305.81	4,307.36	15,998.45
Ward, Town of	100	.....	No report	.....	50.00	10.00	40.00
Wellington, Town of	500	1,302.35	427.29	875.06	1,227.40	704.40	523.00
West Cliff, Town of	300	.....	Plant leased to	.....	.....	.....	.....
Westminster, Town of	400	1,150.43	1,707.64	557.21*	1,371.78	1,763.31	391.53*
Windsor, Town of	1,900	5,741.95	5,739.30	11.65	10,126.84	8,216.70	1,910.14
Wray, Town of	1,200	3,734.38	2,730.21	1,004.17	5,511.85	3,694.72	1,817.13
Yampa, Town of	300	782.75	309.35	473.40	830.90	216.25	614.65
Yuma, Town of	1,600	12,758.62	4,052.13	8,706.49	9,353.92	4,155.87	5,198.05
Total	.....	\$ 1,202,357.89	\$ 625,300.07	\$ 577,057.82	\$ 1,109,503.76	\$ 549,220.15	\$ 560,283.61

*Indicates deficit.

(d) Report for period from April 1 to Dec. 31, 1919.

TELEPHONE UTILITIES—Continued.

OPERATING REVENUES AND EXPENSES OF TELEPHONE UTILITIES, YEARS ENDED DECEMBER 31, 1918 AND 1919.

	Number of Sub- scribers	1918			1919		
		Gross Revenue	Operating Expense	Gross Income	Gross Revenue	Operating Expense	Gross Income
Kiowa Telephone Exchange (Du Pree)	130	.....	.....	.....	(a) 277.00	219.00	58.00
Kiowa Telephone Exchange (Blakeley)	130	.....	.....	.....	(b) 882.58	836.00	46.58
Kit Carson Telephone Company	104	.....	.....	.....	317.80	506.00	11.80
La Garita Telephone Company	269	5,889.11	6,616.55	727.44*	6,982.87	6,618.29	364.58
La Jara Telephone Company	26	668.76	892.95	224.19*	456.48	586.69	130.21*
Lincoln Telephone Company	20	.....	.....	.....	151.15	29.70	121.45
Model Telephone Company	34	594.15	599.00	4.85*	646.05	449.16	196.89
Moffat Telephone Company	73	1,584.00	994.00	590.00	1,584.00	994.00	590.00
Montezuma County Telephone Company	365	16,017.53	11,006.58	989.05*	10,495.37	8,767.46	1,727.91
Mountain States Tel. and Tel. Company	...	10,736,398.97	8,474,351.32	2,252,047.65	12,715,967.46	10,209,483.80	2,506,483.66
McCone, Geo. E., Telephone Company	12	216.00	216.00	.....	216.00	216.00	.....
Naturita Valley Rural Telephone Company	96	1,000.00	195.03	804.97	1,000.00	140.33	859.67
Nunn Telephone Company	176	1,225.90	573.16	652.74	1,627.03	1,354.95	272.08
Pagosa Springs Telephone Company	96	2,492.90	2,126.59	366.31	3,046.00	2,815.65	230.35
Peeetz Co-operative Telephone Company	370	4,191.63	3,217.45	974.18	1,295.64	996.67	302.97
Phillips County Telephone Company	32	2,281.06	2,176.58	104.48	11,854.99	10,701.53	1,153.46
Rico Telephone Company	9	185.48	155.90	29.58	700.75	1,221.95	521.20*
Rifle Creek Telephone Company	70	.....	.....	.....	2,291.41	2,379.33	87.92*
Rockland Telephone Company	31	.....	.....	.....	161.40	183.76	22.35*
Roggen Telephone Company	27	.....	.....	.....	80.00	75.00	5.00
Rose & Ignacio Telephone Company	44	.....	.....	.....	826.24	722.47	103.77
Rumburg, M. E., Telephone Exchange	61	.....	.....	.....	1,159.03	1,061.49	97.54
San Luis Valley Telephone Company	91	960.00	910.00	50.00	840.00	1,500.00	660.00*
Sedalia Telephone Company	44	626.14	559.32	66.82	546.90	588.11	41.21*
Selbert Telephone Company	126	.....	.....	.....	945.25	700.00	245.25
Shakan Farmers Telephone Company	45	4,006.59	2,976.76	1,029.83	230.00	226.00	4.00
Springfield-Lamar Telephone Company	69	.....	.....	.....	5,939.40	6,384.57	545.17*
Strasburg Telephone Exchange	129	1,247.96	1,022.03	225.93	546.00	546.00	.....
Trinchera Telephone Company	34	.....	.....	.....	1,388.22	1,251.76	136.46
Union Telephone Company	1,113	600.00	600.00	.....	874.75	839.37	35.38
Vona & Jones Telephone Company	93	.....	.....	.....	1,650.79	1,046.67	604.12
Willard Telephone Company	...	.....	.....	.....	690.00	687.79	2.21
Williams Fork Telephone Company	...	320.50	762.37	441.87*	112.50	812.50	700.00*
Wray Telephone Company	...	17,939.85	17,529.77	410.08	17,006.04	15,306.99	1,699.05
Yampa Valley Telephone Company	...	2,823.04	2,800.20	22.84	1,612.55	1,704.15	91.60*
Total	...	10,855,128.01	\$ 8,588,607.70	\$ 2,266,520.31	\$12,874,270.99	\$10,352,730.87	\$ 2,521,540.12

*Indicates deficit.

(a) Report for period from Jan. 1 to March 31, 1919.

(b) Report for period from April 1 to Dec. 31, 1919.

ELECTRIC RAILWAYS

STATISTICS OF ELECTRIC STREET AND INTERURBAN RAILWAYS—1918

	Passenger Revenue	Total Revenue from Trans- portation	Total Operating Revenue	Railway (a) Operating Expense	Operating Income	Total Passengers Carried
Arkansas Valley Railway, Light and Power Company.....	\$ 297,102.84	\$ 397,147.84	\$ 398,901.06	\$ 277,878.90	\$ 121,022.16	9,334,311
Colorado Springs & Interurban Railway Company.....	351,626.25	359,589.91	367,475.69	368,966.33	1,490.64*	8,328,660
Denver & Crown Hill Railway Company.....	3,919.85	3,919.85	3,913.85	5,978.31	2,058.46*	81,511
Denver & Intermountain Railroad Company.....	92,177.88	200,562.87	213,698.33	197,536.79	16,161.54	1,678,886
Denver & Interurban Railroad Company.....	222,405.68	223,927.74	224,288.28	212,936.03	11,352.25	728,584
Denver & South Platte Railway Company.....	18,329.74	18,332.24	18,600.01	17,426.08	1,173.93	284,088
Denver Tramway Company.....	3,300,633.01	3,323,393.62	3,453,520.33	2,631,821.03	821,699.30	76,905,597
Durango Railway and Realty Company.....	10,531.20	10,531.20	10,531.20	10,271.14	260.06	216,817
Grand River Valley Railway Company.....	27,178.15	42,286.31	42,761.63	65,939.29	23,177.66*	276,893
Greeley & Denver Railroad Company.....	15,547.20	15,547.20	15,806.58	13,617.39	2,189.19	342,281
Manitou Electric Railway and Casino Company.....	3,470.25	3,470.25	3,970.25	3,143.85	826.40	No record
Trinidad Electric Transmission Railway and Gas Co....	41,804.00	50,875.39	51,333.43	60,874.45	9,541.02*	868,292
Western Light and Power Company.....	22,432.09	22,432.09	22,732.09	39,394.59	16,662.50*	585,525

*Indicates deficit.

(a) Includes taxes.

ELECTRIC RAILWAYS—Continued

STATISTICS OF ELECTRIC STREET AND INTERURBAN RAILWAYS—1919

	Passenger Revenue	Total Revenue from Trans- portation	Total Operating Revenue	Railway (a) Operating Expense	Operating Income	Total Passengers Carried
Arkansas Valley Railway, Light and Power Company.....	\$ 458,435.17	\$ 458,445.17	\$ 460,320.72	\$ 362,928.16	\$ 97,392.56	10,333,663
Colorado Springs & Interurban Railway Company.....	475,593.87	478,970.16	487,546.95	417,524.83	70,022.12	9,708,134
Denver & Crown Hill Railway Company.....	4,572.43	4,572.43	4,572.43	6,344.05	1,771.62*	95,705
Denver & Intermountain Railroad Company.....	109,955.22	256,507.34	272,956.78	220,506.52	52,450.26	1,723,409
Denver & Interurban Railroad Company.....	274,379.88	276,002.26	276,344.59	197,374.43	78,970.16	539,999
Denver & South Platte Railway Company.....	22,928.93	22,999.43	23,208.25	19,766.84	3,441.41	303,847
Denver Tramway Company.....	3,970,657.30	3,990,613.14	4,135,747.35	3,188,231.18	947,506.77	81,534,449
Durango Railway and Realty Company.....	11,397.35	11,397.35	11,397.35	11,661.14	263.79*	234,301
Grand River Valley Railway Company.....	36,905.85	54,972.05	55,540.68	76,804.69	21,264.01*	333,001
Greeley & Denver Railroad Company.....	17,309.05	17,309.05	17,461.13	15,556.33	1,904.80	375,710
Mantion Electric Railway and Casino Company.....	4,842.70	4,842.70	5,342.70	3,973.37	1,369.33	No record
Trinidad Electric Transmission Railway and Gas Co.....	44,674.92	49,543.07	50,670.20	59,660.77	8,990.57*	897,881
Western Light and Power Company.....	31,396.33	31,396.33	31,696.33	40,879.54	9,183.21*	742,413

* Indicates deficit.

(a) Includes taxes.

STEAM RAILROADS

STATISTICS OF STEAM ROADS IN THE STATE OF COLORADO FOR YEARS INDICATED. MILEAGE SHOWN IS ACTUAL.
OTHER STATISTICS INCLUDE LINES OF C. & S. RY., C. W. & E. RY. AND UINTAH RY. OUT-
SIDE OF COLORADO (APPROXIMATELY 322 MILES).

	June 30, 1915	June 30, 1916	Dec. 31, 1916	Dec. 31, 1917	Dec. 31, 1918	Dec. 31, 1919
Mileage in Colorado:						
Owned (main line).....	5,656.85	5,652.96	5,450.71	5,395.40	5,590.17	5,557.44
Operated (main line).....	5,939.74	5,933.88	5,937.07	5,943.59	5,604.06	5,411.76
Service:						
Tons—revenue freight.....	23,810,998	31,196,758	35,100,282	28,234,853	38,982,276	33,761,188
Ton-miles—revenue freight.....	2,570,578,172	3,216,747,912	3,541,883,708	4,109,967,987	4,201,001,151	3,621,527,731
Passengers carried—revenue.....	6,700,793	6,848,846	6,513,754	6,762,105	5,862,757	7,067,917
Passenger-miles—revenue.....	472,868,201	543,368,422	449,732,206	516,970,856	484,450,740	628,824,149
Freight revenue.....	\$29,613,102	\$33,948,497	\$36,322,555	\$41,526,462	\$46,803,601	\$47,741,366
Passenger revenue.....	10,134,772	10,628,277	10,266,953	12,462,488	13,244,712	17,485,458
Excess baggage revenue.....	134,120	126,070	116,325	125,738	133,265	152,526
Mail revenue.....	1,004,785	1,006,624	991,693	858,192	733,988	749,162
Express revenue.....	1,132,412	1,275,560	1,356,644	1,560,444	1,649,324	1,542,322
Milk revenue.....	26,414	26,635	31,460	32,551	31,312	39,928
Switching revenue.....	901,634	1,163,219	1,307,049	1,340,426	1,383,700	1,127,138
Passenger service train revenue.....	12,489,967	13,217,547	12,951,596	15,255,820	15,976,569	19,971,652
Railway operating revenue.....	44,009,732	49,468,078	51,674,579	59,614,633	65,625,204	70,720,623
Railway operating expense.....	31,771,012	32,739,359	33,791,040	39,677,148	51,156,942	55,624,236
Net railway operating revenue.....	\$12,238,720	\$16,728,719	\$17,883,539	\$19,937,485	\$14,468,262	\$15,096,387
Operating ratio (per cent).....	72.19	66.19	65.39	66.55	77.95	78.65
Train Miles:						
Freight.....	7,569,789	7,879,620	8,345,261	9,085,035	8,977,410	7,878,466
Passenger.....	8,770,214	8,811,825	8,531,640	8,511,658	7,108,130	7,348,722
Mixed.....	937,587	951,640	963,226	835,613	806,500	734,599
Special.....	8,152	7,762	10,475	10,555	5,902	13,184
Total transportation service.....	17,285,742	17,650,850	17,850,602	18,442,860	16,897,942	15,974,971
Work service.....	341,841	409,180	458,196	467,187	421,966	385,394
Car Miles:						
Freight train—loaded.....	139,034,742	158,494,998	170,504,242	182,212,069	167,157,214	157,248,168
Freight train—empty.....	69,594,561	70,382,299	71,329,086	75,940,494	83,259,249	74,313,332
Freight train—caboose.....	7,561,589	7,988,616	8,417,830	9,025,892	9,003,694	7,902,756
Total freight train.....	216,190,892	236,865,913	250,751,158	267,178,455	259,420,157	239,464,256

STEAM RAILROADS—Continued

STATISTICS OF STEAM ROADS IN THE STATE OF COLORADO FOR YEARS INDICATED. MILEAGE SHOWN IS ACTUAL.
OTHER STATISTICS INCLUDE LINES OF C. & S. RY., C. W. & E. RY. AND UTAH RY. OUT-
SIDE OF COLORADO (APPROXIMATELY 322 MILES).

	June 30, 1915	June 30, 1916	Dec. 31, 1916	Dec. 31, 1917	Dec. 31, 1918	Dec. 31, 1919
Passenger train	52,933.289	56,305.166	52,413.543	54,161.498	44,312.617	49,424.227
Mixed train—freight—loaded	2,558.807	2,634.854	2,887.307	2,944.034	2,266.439	2,123.330
Mixed train—freight—empty	1,526.325	1,442.513	1,514.351	1,554.198	1,406.077	1,274.349
Mixed train—caboose	109.610	89.994	118.712	122.248	48.834	40.034
Mixed train—passenger	1,258.434	1,807.462	1,556.879	1,604.900	1,563.269	1,357.828
Total mixed train	5,951.709	5,974.823	6,377.249	6,225.380	5,284.619	4,795.541
Special train	106,731	109,052	178,404	180,938	101,962	120,666
Total transportation service	275,182.621	299,254.954	309,720.354	327,746.271	309,119.355	293,804.690
Work service	2,508,720	4,226,080	4,766,646	2,806,080	2,017,446	1,464,344
Averages:						
Miles hauled—revenue freight	108	103	101	107	108	107
Miles—revenue passengers	71	79	69	78	83	89
Revenue per ton of freight	\$1.24	\$1.09	\$1.03	\$1.08	\$1.20	\$1.41
Revenue per ton-mile of freight .....	.0115	.0105	.0102	.0101	.0111	.0131
Revenue per passenger	1.51	1.55	1.58	1.84	2.25	2.47
Revenue per passenger-mile .....	.0214	.0196	.0228	.0241	.0273	.0278
Per Train-mile:						
Ton-miles, revenue freight	302	384	381	414	430	420
Revenue passenger-miles	49	56	47	55	61	78
Freight revenue	\$3.48	\$3.84	\$3.90	\$4.20	\$4.78	\$5.54
Passenger revenue	1.72	1.35	1.36	1.62	2.01	2.47
Operating service train revenue	2.55	2.80	2.89	3.23	3.89	4.43
Operating expenses	1.84	1.85	1.89	2.15	3.02	3.48
Net operating revenue .....	.71	.95	1.00	1.08	.87	.95

